

## LEGISLATIVE COUNCIL

Tuesday 26 May 1998

The **PRESIDENT (Hon. J.C. Irwin)** took the Chair at 2.15 p.m. and read prayers.

### ASSENT TO BILLS

His Excellency, the Governor, by message, intimated his assent to the following Bills:

Aboriginal Lands Trust (Native Title) Amendment,  
Barley Marketing (Application of Parts 4 and 5) Amendment,  
Children's Services (Child Care) Amendment,  
Criminal Law (Forensic Procedures),  
Dangerous Substances (Transport of Dangerous Goods) Amendment,  
Evidence (Use of Audio and Audio Visual Links) Amendment,  
Financial Institutions Duty (Dutiable Receipts) Amendment,  
Highways (Miscellaneous) Amendment,  
Industrial and Employee Relations (Disclosure of Information) Amendment,  
International Transfer of Prisoners (South Australia),  
Legal Practitioners (Qualifications) Amendment,  
Local Government (Memorial Drive Tennis Centre) Amendment,  
MFP Development (Winding-Up) Amendment,  
Motor Vehicles (Disabled Persons' Parking Permits) Amendment,  
Motor Vehicles (Wrecked or Written Off Vehicles) Amendment,  
National Wine Centre (Land of Centre) Amendment,  
Police Superannuation (Miscellaneous) Amendment,  
Petroleum Products Regulation (Licence Fees and Subsidies) Amendment,  
Public Sector Management (Incompatible Public Offices) Amendment,  
Road Traffic (School Zones) Amendment,  
Road Traffic (Vehicle Identifiers) Amendment,  
Statutes Amendment (Adjustment of Superannuation Pensions),  
Statutes Amendment (Consumer Affairs),  
Statutes Amendment (Consumer Affairs) Amendment,  
Statutes Amendment (Native Title),  
Superannuation (Miscellaneous) Amendment,  
Supply,  
Tobacco Products Regulation (Licence Fees) Amendment,  
Workers Rehabilitation and Compensation (Self Managed Employer Scheme) Amendment.

### QUESTIONS ON NOTICE

The **PRESIDENT**: I direct that written answers to the following questions on notice be distributed and printed in *Hansard*: Nos 3, 26, 32, 34, 44-47, 50, 51, 57, 90-93, 96, 101-103, 106, 109, 111, 114, 118, 119 and 125.

### ROAD DEATHS

3. The **Hon. T.G. CAMERON**: Of the 181 people who died in South Australian roads in 1996, could the Minister for Police, correctional Services and Emergency Services provide the following information on each fatality—

1. Location and time.
2. Reason for accident (alcohol, speeding, mechanical, etc.).
3. Age.
4. Sex.
5. If they were a permit driver, learner driver or a passenger.

The **Hon. K.T. GRIFFIN**: I have received information from the honourable Minister for Transport and Urban Planning in answer to the questions raised by the honourable member but it is in a form not easily incorporated in *Hansard*.

I have, therefore, forwarded that information to the honourable member by letter.

### ROAD TRAFFIC, 'FLASHBACK' PAINT

26. The **Hon. T.G. CAMERON**:

1. Is the Minister aware that a brand of paint called 'flashback', which when sprayed on motor vehicle number plates renders them blank to speed detection cameras, is currently available by mail order?

2. If so—

- (a) How prevalent is the product in South Australia?
- (b) Are the police able to provide any information on the product and its use?
- (c) Will the Government introduce legislation to stop the use of the product?

The **Hon. K.T. GRIFFIN**: The following reply has been prepared by Transport SA and taking into consideration information provided by the Minister for Police:

1. I am advised that the substance known as 'Flash Back' paint is available by mail order from a company in Queensland, or by telephone from New Zealand. Although the product is alleged to obscure the letters and figures appearing on a number plate when it is photographed, I understand that tests carried out by the New Zealand Police have not shown it to be effective.

2. (a) I am advised that there is no evidence to suggest that the use of the product is prevalent in South Australia, or if it is being used at all.

(b) I am advised by the Police that the product is being mail ordered to several countries from a New Zealand based group called the Government Accountability Group (GAL).

Information received from Registration and Licensing, Transport SA, revealed that the Queensland Transport Department has tested the product and found that it does not achieve the claims of the distributor.

There is no evidence that any photographs taken by speed cameras in South Australia are unreadable through such a substance.

(c) Regulation 22 of the Motor Vehicles Regulations 1996 already establishes that it is an offence for a person to affix a device to a vehicle or number plate, or paint a substance on a number plate, the effect of which is to obscure or distort a letter or figure on the number plate, when the plate is viewed or photographed from any particular angle or from all angles. The expiation fee for this offence is currently \$230, which includes the Victims of Crime levy.

This means that if this particular substance does in fact do what it claims to do, then an offence is committed.

### INDUSTRIAL RELATIONS LEGISLATION

32. The **Hon. T.G. CAMERON**: Will the Government amend section 65 of the Industrial Relations Act 1994, i.e. 'General functions of the inspector' by replacing 'complaints' with 'cases' so that section 65(a) reads 'to investigate cases of non-compliance with the Act, enterprise agreements and awards', as recommended in the Office of the Employee Ombudsman 1995-96 Annual Report? If not, why not?

The **Hon. R.I. LUCAS**: The following has been provided by the Minister for Government Enterprises.

The Employee Ombudsman in his 1995-96 Annual Report recommends that amending section 65 will:

'enable the Employee Ombudsman and other inspectors to visit employers who are reasonably suspected of breaching the legislation etc. so that if a breach is occurring, they can be appropriately counselled. This will prevent such employers from continuing to flout the legislation through the unwillingness or inability of their victims to complain. . .

I point out to the House that section 65(a) of the Industrial and Employee Relations Act, 1994, is limited to 'complaints' of non-compliance being received before an inspector's function can be exercised, as suggested by the Employee Ombudsman in his annual report. Also, the Employee Ombudsman is an 'inspector' under the Act, and as such, has considerable powers to do various things pursuant to section 104 the Act.

Given the significant rewrite of the Act in 1994 and the considerable powers inspectors already have under the relevant legislation (including the Employee Ombudsman as an 'inspector'), I do not believe that there has been a demonstrated need for the amendment as suggested.

34. **The Hon. T.G. CAMERON:** Will the Government amend section 76 'Negotiation of enterprise agreement' of the Industrial and Employee Relations Act 1994, as recommended in the Office of the Employee Ombudsman 1995-96 Annual Report by adding a further subsection (subsection 6) as follows—

“An employer must notify the Employee Ombudsman of an intention to negotiate an enterprise agreement at least 14 days prior to the commencement of such negotiations.”?

If not, why not?

**The Hon. R.I. LUCAS:** The following has been provided by the Minister for Government Enterprises.

The Employee Ombudsman's 1995-96 Annual Report recommends that such an amendment:

'would allow this Office to ensure that the correct procedures are followed and all parties concerned fully understand the requirements of the legislation, before negotiations start. . .'

I remind the House that when Parliament established the Office of the Employee Ombudsman in 1994, the intended role of the Employee Ombudsman was to represent employees who required his services. I remind the honourable member that the role of the Employee Ombudsman is not to represent all employees in this State. Nor does he have a role in every single enterprise agreement. The Employee Ombudsman's role is limited to:

- enterprise agreements where employees have raised a concern with the agreement, and
- acting upon a concern following scrutiny of an enterprise agreement.

I note the comments of the Employee Ombudsman in his 1996-97 Annual Report in relation to the current scheme and the pick up rate of enterprise agreements. As a result of this support for enterprise agreements, I do not believe it is necessary to amend the Act in such a manner to ensure its continued successful operation. Furthermore, there are already sufficient checks and balances to protect employees' interests.

As a result, there is no need for the suggested amendment.

#### MOTOR VEHICLES, INSPECTIONS

44. **The Hon. T.G. CAMERON:**

1. Is the State Government considering the introduction of compulsory motor vehicle inspections?

2. If so—

(a) who will be responsible for the inspections; and

(b) who will be liable for the cost?

3. How many of the estimated 815 000 cars registered in South Australia are more than five years old?

**The Hon. DIANA LAIDLAW:**

1. and 2. No. The Government's Transport Policy (October 1997) proposes that a Parliamentary 'Transport Safe' Standing Committee be established to inquire into, and report upon all aspects of transport safety in South Australia—and that the issue of compulsory inspections of motor vehicles be referred to the Committee.

No action will be taken until the Parliamentary Committee has investigated and reported on the merits or otherwise of compulsory motor vehicle inspections.

3. Recent statistics obtained from Transport SA indicate that there are 773 170 vehicles currently registered in this State which are over five years of age. This figure includes sedans, station wagons, small buses, small trucks and golf buggies etc. There are currently 226 488 vehicles registered in South Australia which are less than 5 years of age.

#### SEAT BELTS

45. **The Hon. T.G. CAMERON:**

1. How many motor vehicle deaths and serious injuries were the result of people failing to wear a seat belt in 1996-97?

2. In the interests of reducing the road toll, will the Government introduce legislation to limit the number of passengers carried in motor vehicles to the number of seat belts installed?

3. Will the Government also consider funding a public education campaign to inform motorists of the dangers of travelling without a seat belt?

**The Hon. DIANA LAIDLAW:**

1. The Transport SA road crash database indicates that:

In 1996, 30 drivers and passengers were killed while not wearing a seat belt. Out of the total of 132 drivers and passengers killed during 1996, 57 were wearing a seat belt, and in the remaining 45 cases it is not known whether a seat belt was worn.

In addition, in 1996, 100 drivers and passengers were seriously injured in road crashes while not wearing a seat belt.

In 1997, 32 drivers and passengers were killed while not wearing a seat belt. Out of the total of 111 drivers and passengers killed during 1997, 47 were wearing a seat belt, and in the remaining 32 cases it is not known whether a seat belt was worn.

Injury data is not yet complete for the latter part of 1997, however in the first six months of the year, 35 drivers and passengers were seriously injured in road crashes while not wearing a seat belt.

It should be noted that at the time of a crash, it is often not known or recorded on Police traffic accident reports as to whether a driver or passenger was actually wearing a seat belt. Consequently the number of drivers and passengers killed and seriously injured while not wearing a seat belt is likely to be higher than for the figures previously quoted.

It is also pointed out that while statistics show that the wearing of seat belts has had a major effect in improving the protection of vehicle occupants in the event of a crash, the death or serious injury of a particular person who was not wearing a seat belt cannot be totally attributed to the non-wearing of the seat belt.

2. Most state jurisdictions, including South Australia, allow additional passengers to be carried in vehicles providing all seating positions fitted with a seat belt are occupied first. This allows for the legal carriage of additional persons in unusual or emergency situations. At all times the Police have the option to take action in situations where they believe the number of passengers a vehicle is carrying endangers the safety of the occupants.

The draft Australian Road Rules, which are designed to ensure National uniformity in road law, do not propose to limit vehicle occupancy.

The Government does not intend to introduce legislation contrary to the nature and content of the proposed Australian Road Rules.

3. Yes.

Observational surveys of seat belt and vehicle occupant restraint wearing rates are currently being undertaken in rural and metropolitan areas of the State. These results will give a more accurate indication of wearing rates throughout South Australia.

Assuming that the results align with previous research, which highlight that non-compliance is predominantly a rural issue, it is planned to conduct in-depth market research amongst rural drivers. It is anticipated that such research will be completed by the end of May 1998.

Using that information, Transport SA will then develop a mass media and integrated enforcement campaign to be delivered in rural areas in 1998 and 1999.

#### SPEEDING

46. **The Hon. T.G. CAMERON:**

1. How many motorists were caught speeding in South Australia between 1 October 1997 and 31 December 1997 by—

(a) speed cameras;

(b) laser guns; and

(c) other means;

for the following speed zones—

60-70 km/h;

70-80 km/h;

80-90 km/h;

90-100 km/h;

100-110 km/h;

110 km/h and over?

2. Over the same period, how much revenue was raised from speeding fines in South Australia for each of these percentiles by—  
 (a) speed cameras;  
 (b) laser guns; and  
 (c) other means?

**The Hon. K.T. GRIFFIN:** The Minister for Police, Correctional Services and Emergency Services has provided the following response:

The Police advised the Minister that the number of speeding offences issued to motorists for the period 1 October 1997 to 31 December 1997 for each of the following categories are:

Speed Camera

Speed Camera Offences Issued/Expiated during October 1997 to December 1997

Vehicle Speed	Issued Number	Issued Amount \$	Expiated Number	Expiated Amount \$
60—69 km/h	111	20 967	18	3 512
70—79 km/h	64 207	8 436 026	41 460	5 399 291
80—89 km/h	5 816	1 034 967	3 370	587 654
90—99 km/h	6 947	1 038 816	4 939	699 818
100—109 km/h	3 654	546 074	2 632	375 438
110 km/h +over	722	158 867	492	97 006
Total	81 457	11 235 717	52 911	7 162 719

Laser Guns

SAPOL does not maintain separate statistics for speeding offences detected by 'laser guns'.

Speeding Offences issued during 1996-97 by Postcode of Address of Registered Vehicle

Other Means

SAPOL does not maintain statistics for speeding offences detected by 'other means'.

Interstate/Unknown 18,780

Postcode	Offences Issued	Postcode	Offences Issued
Country		Country	
872	47	5607	86
5131	264	5608	1,213
5132	90	5609	83
5133	85	5631	43
5144	117	5632	18
5201	339	5633	42
5202	134	5640	47
5203	160	5641	63
5204	234	5642	18
5210	256	5650	4
5211	1,131	5651	13
5212	184	5652	46
5213	136	5654	13
5214	566	5655	5
5222	18	5670	17
5223	112	5680	89
5231	162	5690	244
5232	67	5700	842
5233	229	5710	141
5234	198	5720	145
5235	251	5722	31
5238	350	5723	228
5240	76	5724	31
5241	317	5725	411
5242	298	5731	98
5243	209	5732	9
5244	694	5733	7
5245	694	5734	9
5250	395	Metro	
5251	1,779	5000	12,678
5252	754	5006	1,764
5253	2,083	5007	2,477
5254	204	5008	3,222
5255	807	5009	1,548
5256	97	5010	1,539
5259	82	5011	2,525
5260	168	5012	1,878
5261	81	5013	3,098
5262	41	5014	3,660
5264	194	5015	1,749
5265	66	5016	1,904
5266	105	5017	1,082
5267	219	5018	1,655
5268	373	5019	2,539
5270	45	5020	1,058
5271	570	5021	2,168
5272	97	5022	3,669

**TRADE, ASIA**

47. **The Hon. T.G. CAMERON:** Will the Premier provide full details of all assistance, including monetary assistance, that is being provided by the State Government to assist expansion into Asia by—

SA Water; and  
 any private based water companies?

**The Hon. R.I. LUCAS:** The following has been provided by the Minister for Government Enterprises.

The Government's overall strategy for addressing the Asian market is directed at supporting the private sector. The policy is set by the Office of Asian Business and, in the water and wastewater industry sector, is managed by SA Water.

SA Water has economic development as a key platform of its operating charter and is using its high level government and commercial contacts to assist the South Australian water industry.

The objective is to develop competitive export focused companies in South Australia and to enable them to manage risk that is critical in these times of economic and political instability in South East Asia.

SA Water's target markets in South East Asia are Indonesia, the Philippines and certain Provinces in the Peoples Republic of China.

In relation to particular support measures, there is no direct monetary assistance provided to South Australian companies working in Asia.

Programs are aimed at obtaining opportunities through Government to Government connections not available to the private sector.

**SPEEDING**

50. **The Hon. T.G. CAMERON:** Will the Minister for Police, Correctional Services and Emergency Services provide the number of people caught by speed detection equipment (including speed cameras, laser guns, and any other) by postcode for the year 1 July 1996 to 30 June 1997?

**The Hon. K.T. GRIFFIN:** The Minister for Police, Correctional Services and Emergency Services has provided the following response:

The police advised the Minister that the number of speeding offences issued to motorists for the period 1 July 1996 to 30 June 1997 by postcode are listed in the attachment.

The postcode refers to the address at which the detected vehicle is registered.

Offences		Offences		Offences		Offences	
Postcode	Issued	Postcode	Issued	Postcode	Issued	Postcode	Issued
5275	153	5023	3,858	5520	67	5141	162
5276	91	5024	3,712	5521	13	5142	138
5277	262	5025	2,697	5522	86	5150	22
5278	36	5031	4,272	5523	166	5151	107
5279	45	5032	2,817	5540	1,221	5152	1,814
5280	601	5033	2,901	5550	139	5153	1,192
5290	2,254	5034	2,274	5552	32	5154	916
5291	362	5035	1,559	5554	411	5155	1,014
5301	69	5037	2,018	5555	57	5156	291
5302	102	5038	2,657	5556	250	5157	599
5304	70	5039	2,089	5558	292	5158	4,908
5307	58	5040	401	5560	74	5159	7,201
5308	9	5041	2,202	5570	37	5160	481
5310	11	5042	2,795	5571	115	5161	2,835
5311	18	5043	2,602	5573	199	5162	8,485
5320	47	5044	1,843	5575	134	5163	3,515
5321	33	5045	3,041	5576	81	5164	1,126
5322	31	5046	1,287	5577	55	5165	1,151
5330	426	5047	1,374	5580	20	5166	468
5332	53	5048	2,179	5581	50	5167	1,329
5333	491	5049	2,132	5582	50	5168	1,077
5340	85	5050	1,442	5583	53	5169	2,357
5341	730	5051	2,546	5600	698	5170	267
5342	63	5052	1,335	5601	12	5171	1,070
5343	601	5061	2,658	5602	53	5172	826
5344	57	5062	2,787	5603	19	5173	1,418
5345	332	5063	3,049	5604	6	5174	386
5346	21	5064	1,972	5605	72	5950	1,201
5350	48	5065	2,205	5606	739		
5351	659	5066	2,587				
5352	628	5067	3,267				
5353	524	5068	2,585				
5354	52	5069	2,181				
5355	633	5070	2,863				
5356	60	5072	2,563				
5357	46	5073	3,254				
5360	141	5074	2,751				
5371	156	5075	2,320				
5372	216	5076	2,388				
5373	350	5081	2,636				
5374	118	5082	3,839				
5381	30	5083	1,627				
5400	81	5084	2,556				
5401	121	5085	2,251				
5411	48	5086	2,740				
5412	132	5087	2,442				
5413	83	5088	1,296				
5414	32	5089	1,616				
5416	18	5090	1,323				
5417	171	5091	1,957				
5418	17	5092	3,757				
5419	46	5093	2,416				
5421	12	5094	1,157				
5422	115	5095	2,535				
5431	62	5096	3,372				
5433	88	5097	3,329				
5434	26	5098	2,477				
5440	30	5107	3,342				
5451	74	5108	8,921				
5453	433	5109	5,945				
5454	38	5110	1,500				
5460	74	5111	173				
5461	224	5112	3,912				
5462	34	5113	3,462				
5464	64	5114	4,059				
5470	13	5115	622				
5472	29	5116	764				
5473	65	5117	507				
5480	55	5118	2,665				
5481	47	5120	890				
5482	33	5121	299				
5483	28	5125	3,099				
5485	44	5126	1,934				
5490	11	5127	2,026				
5491	137	5134	94				
5495	28	5136	131				
5501	1,430	5138	70				
5502	266	5140	99				
						Grand Total	338,408

#### SMALL BUSINESS

##### 51. The Hon. T.G. CAMERON:

1. As of 31 December 1997, how many small businesses have taken part in the State Government's 'The Success Factor' small business development course?

2. Of these, how many were owned by women?

3. How many were from regional areas?

4. How much has been spent on 'The Success Factor' course?

**The Hon. R.I. LUCAS:** The Minister for Industry, Trade and Tourism has provided the following information.

1. As of 31 December 1997, 222 companies had participated in The Success Factor. Since that date, a further 24 companies have attended The Success Factor. Ten companies were registered to attend the program that commenced on 26 February 1998.

2. Approximately 12 companies owned by women have participated in The Success Factor. It is estimated that a further 20 participating companies have been owned and operated by a husband/wife team.

3. Approximately 35 companies from regional areas have participated in The Success Factor.

4. In 1996-97, \$287 180 was committed to The Success Factor. In the current financial year, to 31 January 1998, a further \$159 926 has been committed.

#### FISHERIES COMPLIANCE OFFICERS

##### 57. The Hon. R.R. ROBERTS:

1. Has there been an increase in the number of fisheries compliance officers?

2. Can the Minister for Primary Industries, Natural Resources and Regional Development detail how the recruitment process has improved for fisheries compliance officers?

##### **The Hon. K.T. GRIFFIN:**

1. An additional four fisheries compliance officers have been recruited since 1 July 1997 and are now available for full operational duties. Two of the four additional positions were funded from the funds achieved through increased access arrangements in the recreational rock lobster fishery, one position is funded by the Northern Zone Rock Lobster Fishery (Port Lincoln) and the other position is funded by the Blue Swimmer Crab Fishery (Birkenhead).

2. Since November 1997 vacant fisheries compliance officer positions have been advertised nationally and within the Public Sector in South Australia to obtain numbers of suitable applicants for the positions who are required to undergo a rigorous selection process. Job and person specifications have been re-engineered to better reflect the role and duties relevant to a fisheries compliance

officer working in South Australia today which includes a major focus in the field of education and community awareness to ensure the community of this State are aware of the management measures necessary to sustainably manage our valuable fisheries resources.

#### SMALL BUSINESS

##### 90. **The Hon. T.G. CAMERON:**

1. How much in total will the small business service centres, that are being established by the Government to advise companies on how to win Government contracts and cut red tape, cost the South Australian taxpayer?

2. When will the centres become operational?

3. (a) Will the centres be required to produce a publicly available annual report?

(b) If not why not?

**The Hon. R.I. LUCAS:** The Minister for Industry, Trade and Tourism has provided the following information.

1. The Small Business Service Centres were an initiative contained in the Government's most recent package of initiatives for small business, 'Committed to Small Business Success The Second Step'. These Centres provide a range of advisory and assistance services to businesses. Assistance in identifying markets within Government is one of the services provided through the Centres. Funding is \$77 200 per Centre, which covers wages and other operational costs.

2. Three of the five Small Business Service Centres are currently operating at Hindmarsh, Port Adelaide and Norwood. Another two will be established in the northern and southern regions of Adelaide within the coming months.

3. The Centres are operated by the Western and Inner Northern Network for Economic Recovery (WINNER) and Business in the Community (BIC), both of which produce publicly available Annual Reports outlining their yearly activities. The Centres must also report to the boards of WINNER and BIC, as well as the Department of Industry and Trade, on a regular basis. An independent review of the effectiveness of the Centre in assisting small business will also be undertaken.

#### MOTOR VEHICLES, NATIONAL LICENSING SCHEME

##### 91. **The Hon. T.G. CAMERON:**

1. When will the National Road Transport Commission's plan to introduce a new national licensing scheme enabling demerit points incurred in one State to be enforceable nationwide be introduced into South Australia?

2. Does the Department of Registration and Licensing currently have means of checking to ensure that South Australian drivers possess only SA licences?

3. If so, how many South Australians currently hold multiple interstate drivers licences?

##### **The Hon. DIANA LAIDLAW:**

1. All jurisdictions, except Western Australia and the Northern Territory, have been part of the National Demerit Point Exchange Scheme since June 1992.

The Motor Vehicles Act was amended at that time to allow for the transfer of demerit points for traffic offences listed on a National 'Offence Table'. Demerit points for offences listed on that table committed interstate by South Australian licence holders are transferred electronically to South Australia and recorded on the South Australian Licence Register. Conversely, interstate licence holders who commit an offence listed on the National offence table, whilst driving in South Australia, have the corresponding demerit points transferred to their home state.

I am advised that both Western Australia and the Northern Territory have indicated that they intend to become part of the scheme, and will move to introduce the appropriate legislation.

2. There has never been a Department of Registration and Licensing in South Australia. South Australia, along with other States, periodically compares licence records to establish licence holders who may be in possession of more than one driver's licence. Where it is identified that a South Australian licence holder may also be licensed in another State, steps are taken to have one of the licences surrendered.

3. The most recent comparison of databases, undertaken on 22 June 1997, indicated that South Australia may have approximately 5 000 multiple licence holders. However, this figure may not be a true representation for a number of reasons, including the interstate licence being surrendered after the database comparison, or the

interstate licence has expired and has not been surrendered. Also the comparison was phonetically based; that is, the computer program used to identify possible multiple licence holders compares not only the specific spelling of names but also names that sound similar, therefore licence holders with surnames such as Brown and Browne (with the same date of birth) would be listed.

#### SKYSHOW, PUBLIC TRANSPORT

##### 92. **The Hon. T.G. CAMERON:**

1. How much did the special Passenger Transport Board 'Skyshow 14' bus, train and tram timetable cost to produce?

2. (a) Did the Government pay the full cost, or did sponsors contribute to its cost?

(b) If so, by how much?

3. (a) Which company did the printing?

(b) How many copies were printed?

4. How many passengers used buses, trams or trains to get to the 14th Skyshow?

##### **The Hon. DIANA LAIDLAW:**

The annual Adelaide Skyshow is a major event which has broad family appeal and attracts a massive audience. Adelaide's public transport system has provided a useful service to this event in the past.

The service to Skyshow is not free and generates a considerable number of first time users, introducing them to public transport for the first time. Accordingly, in 1997 the Passenger Transport Board (PTB) decided to capitalise on this event to 'showcase' public transport as an efficient, integrated, responsive transport system. For this purpose a full colour brochure incorporating a range of maps and timetable layouts was produced and distributed via an insert in the *Advertiser*.

Due to the success of the 1997 initiative, the PTB resolved to repeat the exercise—and a Skyshow public transport guide was inserted in the *Advertiser* on Saturday, 24 January 1998. SAFM supported the public transport guide with live and recorded promotional spots—valued at \$15 000.

1. The brochure cost \$30 000.

2. The PTB was supported by \$15 000 worth of sponsorship by SAFM in the form of promotional airtime.

3. (a) The brochures were printed by Newstyle Press at Mile End.

(b) 250 000 copies were printed.

4. While no survey of passengers was conducted on Monday 26 January 1998 to determine why people were using public transport, and if they are attending any particular event in the city at any particular time, the number of people using the system was 68 200. This represented a 117 per cent increase on the Australia Day patronage for 1997.

#### LEARNING TO DRIVE BOOKLET

##### 93. **The Hon. T.G. CAMERON:**

1. Why has the Department of Transport's booklet entitled 'Learning to Drive—a guide to the skills you will need in order to obtain your probationary driver's licence', previously issued free to learner drivers, been discontinued?

2. (a) As all new drivers should be supported in their efforts to learn to drive safely, will the Minister consider re-introducing the 'Learning to Drive' booklet?

(b) If not, why not?

**The Hon. DIANA LAIDLAW:** The 'Learning to Drive' booklet was one of the information items contained in the 'Driving Companion', which was introduced in 1993 with the implementation of a new driver testing system. This new system provided the option for a learner driver to undertake a practical driving test, or Competency Based Training (Log Book).

The 'Driving Companion'—comprising the 'Log Book'; the 'Learning to Drive' booklet; the 'Driving Test' booklet; and the 'Obtaining Your Probationary Licence' booklet—was produced with sponsorship from the RAA meeting half of the cost (\$3.20 per unit).

In December 1996, the RAA decided not to continue sponsorship of the 'Driving Companion', as it saw no further commercial benefit in continuing to do so. There were also a number of criticisms from professional driving instructors about certain aspects of the Companion, and that the presence of the RAA logo on the 'Driving Companion' provided the RAA Driving School with an unfair advantage over other instructors.

In these circumstances Transport SA (TSA) took the opportunity to update the whole information package and reduce the overall cost, taking into account industry advice.

A working party was established, comprising representatives from Transport SA and the driver training industry, to review all of the tasks in the proposed new Log Book. In September 1997, a trial process of the new log book (comprising not only the information from the 'Learning to Drive' booklet, but all of the other items contained in the original 'Driving Companion') was implemented, and is continuing.

It is anticipated that this more relevant, comprehensive publication will be available—at no cost—for the information of learner drivers from about July 1998.

#### TUNA BOAT OWNERS ASSOCIATION

##### 96. **The Hon. R.R. ROBERTS:**

1. Is the Tuna Boat Owners Association an 'association' as prescribed under the Associations Incorporation Act 1985?

2. If so, has the Tuna Boat Owners Association applied for an exemption under section 38 of the Associations Incorporation Act 1985 for the purposes of not lodging periodic returns?

3. If the Tuna Boat Owners Association has applied for an exemption—

- (a) when did the association apply for the exemption; and
- (b) what is the time limit on the exemption?

##### **The Hon. K.T. GRIFFIN:**

1. No.
2. No.
3. Not relevant.

#### SPEED LASER GUNS

101. **The Hon. T.G. CAMERON:** How many laser guns were operating in Adelaide and the metropolitan area on Saturday 11 October 1997?

**The Hon. K.T. GRIFFIN:** The Minister for Police, Correctional Services and Emergency Services has provided the following response:

The police advise that the number of laser guns operated by dedicated traffic personnel in Adelaide and the metropolitan area on Saturday 11 October 1997 was 38.

#### SOUTHERN BLUEFIN TUNA

##### 102. **The Hon. P. HOLLOWAY:**

1. Is the Minister for Primary Industries, Natural Resources and Regional Development aware that, according to the Bureau of Fish Sciences' 'Fishery Status Report' (1997), estimates taken in 1996 of the southern bluefin tuna population put the stock at 5 per cent of its level in 1960 and 25-39 per cent of the level in 1980, only sixteen years ago?

2. Is the Minister therefore concerned at the further breakdown of negotiations between Australia, New Zealand and Japan at the recent meeting of the Commission for the Conservation of Southern Bluefin Tuna?

3. Does the Minister support the Australian position taken during negotiations that there be no increase in the quota of southern bluefin tuna?

4. Does the Minister support the decision of the Federal Government in January 1998 to unilaterally ban Japan from fishing southern bluefin tuna in Australian Waters?

5. Does the Minister agree with the report in the Australian Financial Review of 23 January 1998 which suggested that Australia's position was 'unnecessarily provocative' and could jeopardise Australia's export market?

6. Does the Minister agree with the Federal Government's allegation that Japan's proposed experimental fishing program 'is nothing more than a pretext for increasing its catch' and that it is 'as spurious as scientific whaling' (Media Release, Senator Warwick Parer, 22 January 1998)?

7. Does the Minister accept further statements made by his Federal counterpart on 22 February 1998 that tuna stock is severely depleted and that the proposed catch increase is unsustainable (Media Release, Senator Warwick Parer, 22 February 1998)?

8. Is the Minister concerned that the breakdown of negotiations appears to be causing panic among some section in the industry and may actually lead to unregulated fishing activities off South Australia's coast, causing further losses in an already over-fished market?

9. Is the Minister concerned that Australia's domestic southern bluefin tuna fishery (worth some \$47 million for the 1995-96 financial year) may therefore be at risk?

10. What action does the Minister intend to take to protect the viability of this industry which is vital to the economy of the Eyre Peninsula and the State?

##### **The Hon. K.T. GRIFFIN:**

1. The Minister for Primary Industries, Natural Resources and Regional Development is aware of the Bureau of Resource Sciences' Fisheries Status Report which includes a southern bluefin tuna assessment.

2. Management of the southern bluefin tuna stocks, which are fished by a number of nations, can best be achieved through a collaborative approach to management. The Minister is therefore concerned at the breakdown of negotiations between Australia, New Zealand and Japan at the recent meeting of the Commission for the Conservation of Southern Bluefin Tuna.

3. The strategy adopted by the Management Advisory Committee for Southern Bluefin Tuna and also the International Commission for the Conservation of Southern Bluefin Tuna is designed to rebuild the stocks to above present levels. As a result, the Minister supports the Australian position taken during the negotiations which are in accordance with that rebuilding strategy.

4. The position of the Japanese Government in not supporting the strategy for rebuilding the stocks of southern bluefin tuna required firm and decisive action on behalf of the Federal Government. The Minister supports this action in banning Japan from fishing southern bluefin tuna in Australian waters. It should also be noted that the New Zealand Government has taken similar steps.

5. The strategy adopted by the International Commission for the Conservation of Southern Bluefin Tuna and by the Federal Government is necessary to ensure that southern bluefin tuna stocks are rebuilt to previous levels. This strategy has been supported by extensive scientific evidence that it is an appropriate strategy. Japan is a major importer of Australian southern bluefin tuna and relies heavily on Australia's export market for southern bluefin tuna to Japan has been affected by Australia's firm stance to ensure the conservation of the species.

6. The Minister agrees with the Federal Government's observations related to the proposal by Japan for an experimental fishing program.

7. The Minister agrees with this assessment which is in accordance with the best scientific evidence.

8. The Minister is confident that the South Australian tuna industry is both aware of the situation and is acting responsibly as a result of the breakdown of negotiations at the recent meeting of the Commission for the Conservation of Southern Bluefin Tuna. Australia has already declared a unilateral decision to fix the 1998 quota at the same level as the previous year, which is in accordance with the conservation strategies identified by the Management Advisory Committee for Southern Bluefin Tuna and also the International Commission. The Minister does not therefore agree that the breakdown of negotiations is causing panic among some sections of the industry, and will not lead to unregulated fishing activities off South Australia's coast. Fishing activities for southern bluefin tuna off the South Australian coast are carefully monitored by both State and Federal fisheries officers.

9. While a careful watch is being kept on market access, prices and catch levels, the Minister is confident that with the responsible position taken by the Australian Government in determining total allowable catches for 1998, Australia's domestic southern bluefin tuna fishery is not at risk.

10. The tuna industry is a vital part of the economy of the Eyre Peninsula and the State through tuna farming activities that are undertaken in the region. These farming operations rely for their product on catches of southern bluefin tuna. Since the fishery is a Commonwealth managed fishery, the Minister relies for his advice on the status of the stocks on the Management Advisory Committee for Southern Bluefin Tuna. This Committee is chaired by the Executive Director of the South Australian Research & Development Institute. Other members of the Management Advisory Committee are the Director of Fisheries for South Australia and the President of the Tuna Boat Owners Association. South Australia's interests are therefore well represented on the Management Advisory Committee, and the Minister is therefore confident that this Committee will provide appropriate advice to ensure the continuing viability of the State's tuna industry.

**NEPEAN BAY POLLUTION**

**103. The Hon. P. HOLLOWAY:**

1. Is the Minister for Primary Industries, Natural Resources and Regional Development aware of a South Australian Research and Development Institute report investigating pollution at Nepean Bay, Kangaroo Island?

2. If so, when will this report be released?

**The Hon. K.T. GRIFFIN:**

1. The Minister for Primary Industries, Natural Resources and Regional Development is aware of the contract by the South Australian Research and Development Institute Aquatic Sciences' Environment and Biodiversity Unit with Primary Industries Kangaroo Island (PIKI) and the Kangaroo Island Integrated Catchment Committee (KIICC) to document 'Seagrass Loss in Nepean Bay: the need for Integrated Catchment Management'.

2. This report was provided to the Chairman of the Kangaroo Island Integrated Catchment Committee on 18 February 1998.

**BANKRUPTCIES**

**106. The Hon. T.G. CAMERON:** How many bankruptcies were filed for small, medium and large South Australian firms for the years—

- 1994-95;
- 1995-96; and
- 1996-97?

**The Hon. R.I. LUCAS:**

- Bankruptcy statistics relate only to 'personal and partnerships' (i.e., non-business or unincorporated small business);
- Personal and partnership bankruptcies are predominantly non-business related—in 1996-97, only 16 per cent were business related, with the remainder being non-business bankruptcies;
- Corporation (i.e., mostly medium or large businesses) 'bankruptcies' are called insolvencies or terminations;
- Some personal bankruptcies may be associated via 'guarantees' with corporate insolvencies.

Personal and partnership bankruptcies, and corporations insolvencies and terminations in South Australia reached the following totals:

	Personal and Partnerships Bankruptcies	Corporation Insolvencies and Terminations
1994-95	1825	580
1995-96	2268	678
1996-97	2586	550

In each of these financial years, in relation to personal and partnership bankruptcies, the change over the previous year was lower in South Australia than nationally. In the year to the December quarter 1997 (the latest data available), these bankruptcies actually fell in South Australia (by 4.1 per cent), while nationally they rose by 18 per cent.

**SPEED DETECTION**

**109. The Hon. T.G. CAMERON:**

1. How much in total is being spent by the Department of Road Safety on the current 'Speed Campaign' television advertisement?

2. How much is being spent on newspaper, radio and any other form of advertising for the same advertisement by the Department of Road Safety?

**The Hon. DIANA LAIDLAW:**

1. I assume that the honourable member is referring to two new television commercials which were first aired during March 1998 as a component of the three year evaluation of the effectiveness of mass media communication on on-road speeds and self reported attitudes and behaviours.

This evaluation, as well as the television commercials in question, are fully funded by the Motor Accident Commission under a Memorandum of Understanding with Transport SA by which Transport SA acts as a service provider to the Commission in terms of management of the evaluation, including the mass media campaigns.

The total cost for creative development and production of these commercials is \$93 982.

2. The television commercial is being supported by a series of radio commercials, again underwritten by the Motor Accident Commission.

The cost of producing these commercials is \$2 018.

**DEMERIT POINTS**

**111. The Hon. T.G. CAMERON:**

1. How many people have lost their licences due to losing demerit points for the years—

- (a) 1995-96; and
- (b) 1996-97?

2. How many people have lost their licences due to driving under the influence for the years—

- (a) 1995-96; and
- (b) 1996-97?

**The Hon. DIANA LAIDLAW:**

1. (a) During the financial year 1995-1996, 3 561 drivers accumulated 12 or more demerit points and were disqualified from driving for three (3) months.

(b) During the financial year 1996-1997, 4 981 drivers accumulated 12 or more demerit points and were disqualified from driving.

2. (a) During the financial year 1995-1996, 5 517 drivers were convicted of an alcohol related traffic offence and were disqualified from holding or obtaining a driver's licence.

(b) During the financial year 1996-1997, 5 482 drivers were convicted of an alcohol related traffic offence and subsequently disqualified from holding or obtaining a driver's licence.

**MOTOR VEHICLE ACCIDENTS**

**114. The Hon. T.G. CAMERON:**

1. How many drivers aged 70 years and over were killed or seriously injured as a result of motor vehicle accidents for the years—

- (a) 1994-95;
- (b) 1995-96; and
- (c) 1996-97?

2. Is the Government considering reintroducing compulsory driving tests for the elderly?

3. If so, what are the details of such a test?

**The Hon. DIANA LAIDLAW:**

1. Accident data in Transport SA's Traffic Accident Recording System (TARS) database is configured in calendar years, and the requested statistics are presented accordingly:

(a) For the calendar year 1994, of drivers aged 70 or over, 46 were seriously injured and 11 killed; the total of 57 drivers represents 7.7 per cent of all drivers (736) killed or seriously injured in that year.

For the calendar year 1995, of drivers aged 70 or over, 47 were seriously injured and 6 killed; the total of 53 drivers represents 7.2 per cent of all drivers (732) killed or seriously injured in that year.

(b) For the calendar year 1996, of drivers aged 70 or over, 77 were seriously injured and 7 killed; the total of 84 drivers represents 9.6 per cent of all drivers (871) killed or seriously injured in that year.

(c) For the calendar year 1997, of drivers aged 70 or over, 68 were seriously injured and 10 killed; the total of 78 drivers represents 10.6 per cent of all drivers (735) killed or seriously injured in that year.

2. The above figures, viewed in conjunction with overall figures, indicate that elderly drivers continue to constitute a relatively low proportion of the State's road toll.

It should also be noted, that the Government's policy statement, *Ageing—A Ten Year Plan for South Australia*, extends the rights of full citizenship to all people, irrespective of age or frailty. Advanced age is not in itself a barrier to driving. Nevertheless, a medical certificate of fitness to drive is required at licence renewal for all drivers aged over 70, and/or if a recorded medical condition warrants it. Section 148 of the Motor Vehicles Act clearly places the onus on an examining medical practitioner for determining a person's fitness to drive, and this includes the power to recommend a practical driving test *at any age* if the medical circumstances warrant it. (Those aged 85 and over who drive commercial vehicles, however, are required to undertake a practical test annually).

It should also be realised that many older drivers, as well as those with a medical condition, compensate for any declining abilities by reducing both their overall amount of driving and the circumstances and manner in which they drive. The emphasis now is not so much on imposing arbitrary licensing requirements, but rather assisting drivers and their families and medical practitioners to better manage their driving within certain road safety parameters. Doctors may, for

example, recommend restricted driving, such as daylight hours only, which can avoid the mobility problems often associated with ceasing driving altogether.

In view of their relatively low crash involvement and the developing trend in managing older drivers which is in alignment with current Government policy for the aged, it is not intended to reintroduce elderly driver tests on a widescale compulsory basis.

3. See answer to question 2.

#### DEMERIT POINTS

##### 118. **The Hon. T.G. CAMERON:**

1. Has the Government undertaken, or will it undertake, any studies on the social impact and cost of the proposed changes for loss of demerit points due to speeding before legislation is introduced into Parliament?

2. If so, what is the estimate of—

(a) the number of points in total per year that may be lost;  
(b) the number of people who may lose their licences per year; and  
(c) the number of jobs that could be lost per year as a result of people losing their licences?

3. Will the Minister release any studies undertaken?

4. If there have been no studies undertaken, then why not?

**The Hon. DIANA LAIDLAW:** It is presumed the honourable member is referring to a proposal to extend the points demerit scheme to include speeding offences detected by radar operated speed detection cameras. This proposal, part of a package to address national uniformity in the application of traffic laws, will be available for Australian Transport Ministers to consider in October 1998.

In the meantime, an inequity exists in SA whereby offending drivers are dealt with differently depending upon the manner in which the offence is detected. Offences detected by means other than cameras attract demerit points, whereas offences detected by cameras do not.

The proposal is a road safety initiative intended to encourage greater compliance with speed limits, with the ultimate objective of reducing the unsatisfactory road toll to meet strategic targets set for the year 2000.

Already there are a number of studies which show the relationship between speeding and the road toll. For example, the 1996 Austroads report "Urban Speed Management in Australia" refers to studies conducted on roads with a range of speed limits—and concludes (on p 7): "... there is an impressive body of work which shows that higher speed limits increase casualties and lower speed limits reduce casualties. Enough of these studies report changes in speed distributions to confirm that reduced speeds (sic) is indeed the mechanism through which lower casualties are achieved."

As well, a study conducted by the University of Adelaide Road Accident Research Unit (RARU), examined both the risk and the consequences of the speed-crash relationship. Crash reconstruction techniques were used to look at the effect that lower vehicle speeds would have had on pedestrian fatalities which occurred in Adelaide over a ten year period (McLean et al, 1994). The conclusion was that if the vehicle travel speed in each case had been just ten km/h lower, almost half of the pedestrians killed would have survived. About one in five would have walked away without even being hit. The corresponding outcomes for a five km/h lower speed would have been one-third less fatalities and one in ten pedestrians escaping unharmed.

The social implications of the loss of a licence are the same regardless of the manner in which the offence attracting demerit points is detected. If the prospect of attracting demerit points for camera detected offences will encourage drivers to comply with speed limits, then the Government is prepared to give it serious consideration.

#### DRIVERS' LICENCES

##### 119. **The Hon. T.G. CAMERON:**

1. How many motorists applied to have their licences restored following temporary cancellation due to loss of demerit points during—

(a) 1994-95;  
(b) 1995-96; and  
(c) 1996-97?

2. How many motorists were successful in having their licences restored following temporary cancellation due to loss of demerit points during—

(a) 1994-95;  
(b) 1995-96; and  
(c) 1996-97?

##### **The Hon. DIANA LAIDLAW:**

1. (a) It is assumed that the Hon. Member is referring to the appeal provisions that exist under the Motor Vehicles Act for drivers who have accumulated twelve (12) or more demerit points, and are liable for a three (3) month licence disqualification.

During the financial year 1994-1995, 857 motorists who were liable to a three (3) month demerit point disqualification, appealed to the Court for reinstatement of their driver's licence.

(b) In the year 1995-1996, the total number of appellants was 997.

(c) In the year 1996-1997, the total number of appellants was 1 796.

2. (a) During the financial year 1994-1995, 715 motorists were successful in their appeal against the points demerit disqualification.

(b) In the financial year 1995-1996, 780 motorists were successful in their appeal against the points demerit disqualification.

(c) In the financial year 1996-1997, 1 496 motorists were successful in their appeal against the points demerit disqualification.

#### MOUNT BARKER KERBING

##### 125. **The Hon. SANDRA KANCK:**

1. What was the cost of the recent reconstruction of the kerbing approaching the Mann Street and Hutchinson Street roundabout, Mount Barker?

2. Who paid for the reconstruction?

3. What was the cost of the recent reconstruction of the kerbing along Flaxley Road approaching the roundabout near Mount Barker High School to make way for larger buses?

4. Who paid for the reconstruction?

##### **The Hon. DIANA LAIDLAW:**

1. This project was undertaken by contract and I am unable to provide the cost for the kerbing component. However, I can advise that the total cost of the installation of the roundabout at this location was \$95 610.

2. The project was funded by the Commonwealth Government, through its Black Spot Program.

3. I am unable to provide the cost for the kerbing component of the Flaxley Road approach to the Adelaide Road-Flaxley Road intersection. However, I can advise that the total cost of the complete project was \$339 480.

4. The project was funded by the Commonwealth Government, through its Black Spot Program.

#### ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

**The PRESIDENT:** I lay upon the table the report of the Environment, Resources and Development Committee in relation to environmental resources, planning, land use, transportation and development aspects of the MFP Development Corporation for 1996-97, which was authorised to be printed and published pursuant to section 17(7)(b) of the Parliamentary Committees Act 1991.

#### STATUTORY AUTHORITIES REVIEW COMMITTEE

**The PRESIDENT:** I lay upon the table the report of the Statutory Authorities Review Committee on a review of the Commissioners of Charitable Funds, which was authorised to be printed and published pursuant to section 17(7)(b) of the Parliamentary Committees Act 1991.



**PAPERS TABLED**

The following papers were laid on the table:

By the Treasurer (Hon. R.I. Lucas)—

- Reports, 1996-97—
  - Teachers Registration Board of South Australia
  - Vocational Education, Employment and Training Board
- Regulations under the following Acts—
  - Lottery and Gaming Act 1936—Various
  - Petroleum Products Regulation Act 1995—Licence Fees and Subsidies
  - Public Corporations Act 1993—Australian Masters Games
  - Tobacco Products Regulation Act 1997—Licence Fees
- Racing Act Rules 1976—
  - Harness Racing—Stablehand Age
  - Industry Development Authority—Betting Various Corporation By-laws—
    - Charles Sturt—
      - No. 1—Permits and Penalties
      - No. 2—Moveable Signs
      - No. 3—Council Land
      - No. 4—Flammable Undergrowth
      - No. 5—Dogs
      - No. 6—Bees
      - No. 7—Animals and Birds
      - No. 8—Lodging Houses
      - No. 9—Garbage
      - No. 10—Caravans
    - District Council By-laws—
      - Berri-Barmera—
        - No. 1—Permits and Penalties
        - No. 2—Dogs
        - No. 3—Bees
        - No. 4—Poultry and Other Birds
        - No. 5—Taxis
        - No. 6—Council Land
      - Loxton Waikerie—
        - No. 1—Permits and Penalties
        - No. 2—Dogs
        - No. 3—Poultry and Other Birds
        - No. 4—Bees
        - No. 5—Taxis
        - No. 6—Council Land

By the Attorney-General (Hon. K.T. Griffin)—

- Reports—
  - Citrus Board of South Australia, 1996-97
  - Animal and Plant Control Commission, 1997
- Regulations under the following Acts—
  - Wheat Marketing Act 1989—Principal
  - Youth Court Act 1993—Application for Adoption Fee
- Rules of Court—
  - District Court—District Court Act 1991—
    - Questionnaire for Criminal Cases
    - Plaintiff Non-attendance
  - Magistrates Court—Magistrates Court Act 1991—
    - Expiation of Offences Forms
  - Supreme Court—
    - Probate Act 1919 and Supreme Court Act 1935—
      - Probate—Principal
    - Supreme Court Act 1935—
      - The Person by Whom
      - Questionnaire for Criminal Cases
  - Public Corporations Act 1993—Ministerial Directions—
    - ETSA Corporation
    - SA Generation Corporation
    - South Australian Ports Corporation (Ports Corp.)

By the Minister for Consumer Affairs (Hon. K.T. Griffin)—

- Regulations under the following Acts—
  - Liquor Licensing Act 1997—
    - Licence not Required—Willunga High Dry Areas—Long Term—
      - Coober Pedy
      - Hallet Cove

Meningie  
Port Pirie

By the Minister for Transport and Urban Planning (Hon. Diana Laidlaw)—

- Regulations under the following Acts—
  - Harbors and Navigation Act 1993—
    - Traffic—Parking—Signs
    - West Beach Development
  - Motor Vehicles Act 1959—
    - Administration Fee
    - Conditional Registration
    - Disabled Persons' Parking
    - Provisional Drivers Qualifications
  - Public and Environmental Health Act 1997—
    - Notifiable Diseases
  - Rail Safety Act 1996—Principal
  - Railways (Operations and Access) Act 1997—
    - Evidentiary Provisions
  - South Australian Co-operative and Community Housing Act 1991—
    - Electoral Procedures
    - Termination of Membership
  - West Beach Recreation Reserve Act 1987—West Beach Development
  - Northern Adelaide and Barossa Catchment Water Management Board—Initial Catchment Water Management Plan—February 1998
  - Onkaparinga Catchment Water Management Board—
    - Initial Plan
  - Insurance Premium Committee—Determination of Premium Relativities.

**NATIONAL SORRY DAY**

**The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning):** I seek leave to table a ministerial statement given this day by the Hon. Dorothy Kotz, Minister for Aboriginal Affairs, on National Sorry Day.  
Leave granted.

**QUESTION TIME****ELECTRICITY, PRIVATISATION**

**The Hon. CAROLYN PICKLES:** I seek leave to make a brief explanation before asking the Treasurer a question about the employment of Ms Alex Kennedy and Mr Geoff Anderson.

Leave granted.

**The Hon. CAROLYN PICKLES:** As members would be well aware, Ms Kennedy and Mr Anderson have been employed by the Government as strategic communications advisers on the privatisation of ETSA and Optima.

**The Hon. L.H. Davis:** He was a great friend of yours, Geoff Anderson!

**The Hon. CAROLYN PICKLES:** He is a great friend of yours now. As we all know, Ms Kennedy has a spectacular public relations record, culminating in the near defeat of the Olsen Government last year. Mr Anderson has previously assisted—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. CAROLYN PICKLES:** —the Government with the privatisation of SA Water. The Treasurer has thus far refused to reveal how much Ms Kennedy and Mr Anderson are being paid, and apparently the Premier has no idea. My questions are:

1. How much is the Government, on behalf of South Australian taxpayers, paying to Mr Anderson and Ms Kennedy for their services as communications advisers on the sale of ETSA?

2. If the Treasurer refuses to provide the Parliament with such basic information, what is he trying to hide?

**The Hon. R.I. LUCAS:** A few eyebrows were raised when the Government announced the appointment. As I said to the media at that time—and as I say to the honourable member—Kennedy and Anderson bring a unique blend of talents and skills to any task.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** As I said, they bring to bear a unique blend of talents, skills and expertise. I have not had the opportunity in a previous life or guise of working with Geoff Anderson, although I have conversed with him socially on a number of occasions, and I have found him to be a much milder person than the reputation that preceded him.

*An honourable member interjecting:*

**The Hon. R.I. LUCAS:** Yes, exactly. He has indicated to me that these days he is getting older, wiser and mellower, and that he never deserved those titles of Angry Anderson and others of earlier days.

*The Hon. L.H. Davis interjecting:*

**The Hon. R.I. LUCAS:** Yes. I do not carry around with me the contractual details of all our consultants. The Government's position so far relates to all the consultants. We have Morgan and Stanley as our lead advisers and KPMG in accounting. We have economic advisers, three separate legal firms working together and engineering consultants. The sale of ETSA and Optima is an extraordinarily difficult and complex task—and it is important.

I note by way of an interjection a suggestion that this is Party political. The communications task of any major undertaking, such as the sale of our electricity businesses or the utilities of ETSA and Optima, is extraordinarily difficult for any organisation to handle. It is important that any group which has a unique blend of talents, skills and expertise applies those abilities to the task of finding factual information. That is all they are being asked to do: to provide factual information for those who want to participate in the public debate.

The Government has not released any of the contractual details of any of our consultants, including Morgan and Stanley and others. We have responded to questions on how much Morgan and Stanley are paid in exactly the same way as we have regarding the question of Mr Anderson's commercial arm or company through which he has contracted. I am happy to take on notice the honourable member's question, reflect upon it—

*The Hon. T.G. Roberts interjecting:*

**The Hon. R.I. LUCAS:** It was interesting—and see whether or not there is any further information that I am able to place on the public record in the spirit of sharing information with the honourable member and the Parliament.

**The Hon. P. HOLLOWAY:** I seek leave to make a brief explanation before asking the Treasurer a question about the sale of ETSA.

Leave granted.

**The Hon. P. HOLLOWAY:** After more than 12 months of negotiations, in July last year the Olsen Government sealed a 60-year lease-back deal with US company, Edison, for ETSA's power transmission system. This deal established

two companies in the Cayman Islands and provides generous tax breaks for Edison. On 16 April, Edison International reported an earnings increase of 5¢ per share on the strength of its electricity lease transactions in the Netherlands and with ETSA. In a letter to a prospective buyer of ETSA, consultants Ernst & Young state:

If the [Edison lease] transaction is not unwound by the Government and the lease is assumed by the investor as a normal lease liability, in our view the purchase price will be affected.

The letter continues:

... we believe the South Australian Government could achieve equity withdrawal while leaving the lease in place, subject to a bid discount. We would anticipate this discount to be in the order of 8 per cent to 12 per cent.

That represents a reduction of about \$400 million in a sale price of \$4 billion. My questions to the Treasurer are:

*Members interjecting:*

**The PRESIDENT:** Order! Let the honourable member ask his question.

**The Hon. P. HOLLOWAY:** Thank you, Mr President. My questions are:

1. Will the Treasurer confirm that the price of ETSA assets will be discounted by 8 to 12 per cent due to the uncertainty created by the Edison lease deal?

2. What advice has the Government sought or received on the impact of the leasing deal with Edison on the price of ETSA assets, and what is the nature of that advice?

3. What costs or penalties does the Government face if it wishes to buy out the Edison lease?

**The Hon. R.I. LUCAS:** The first thing I would say is that the Labor Party's approach through Mike Rann, Paul Holloway and Kevin Foley is very curious. On the one hand they have been attacking Premier Olsen on the basis that he always intended to sell ETSA and that he spent the last 12 to 18 months of his waking life before the election getting ready to sell ETSA. Then, on the other hand, Paul Holloway and Kevin Foley come into their respective Houses and criticise in exactly the reverse direction; that is, that the Government should have been aware of its intentions to sell ETSA and Optima, otherwise it would not have engaged itself in a complex transmission leasing deal before the election. Can the Hon. Paul Holloway explain what side of the argument he is on at the moment? He cannot argue both sides.

**The Hon. L.H. Davis:** It's Tuesday today.

**The Hon. R.I. LUCAS:** Exactly. It is very difficult. This is the problem with the Labor Party: on one day of the week it argues one side of the argument—that is, of course Olsen knew; he always intended to—and on the another it asks, 'What's going on? You should have been aware of this back in 1997 when you went through this complex transmission deal; and why did you go through it?'

*The Hon. Carolyn Pickles interjecting:*

**The Hon. R.I. LUCAS:** I am not confirming anything. I am just saying that the Labor Party is hoist with its own petard; it is arguing against its own argument. There is no logical consistency among the Hon. Mr Holloway's, Mike Rann's and Kevin Foley's arguments on this issue. In relation to the specific questions, the answer to the first question is 'No'; I will not confirm there is an 8 to 12 per cent discount on the sale price as a result of this leasing deal. With due respect to Ernst & Young, how could they provide detailed analysis and advice on a leasing contract or document which they have not seen? It is a pretty simple question.

**The Hon. P. Holloway:** What is your advice?

**The Hon. R.I. LUCAS:** That comes next, but let us look at the first one. I was asked to confirm whether or not Ernst &

Young's advice of an 8 to 12 per cent discount factor was right. My answer is 'No'; I will not confirm that. With due respect to Ernst & Young, I am advised that they have not seen what is a complicated leasing document and arrangement. If the Hon. Mr Holloway knows anything about leasing arrangements and documents he knows that it does help to look at them and read them before you give detailed advice on a particular issue. In relation to the second issue, when the Labor Party loses the argument on the first matter it goes off onto EDS and other issues. We are talking about electricity and ETSA and Optima here, so let us keep to this argument. The second question is, 'What advice has the Government taken?' The Government is taking advice through Morgan Stanley and its other advisers, and at this stage we do not intend potentially to jeopardise the sale prospects and the sale value—of ETSA on this occasion—by publicly revealing the nature of the advice that we have received.

I have indicated before both publicly and in this Chamber that the Government was well aware when it took the decision in February to proceed with the sale of ETSA and Optima that this leasing arrangement would be a complication that would have to be resolved in the sale process. I can only repeat: this question and the answer are just further indication of the truthfulness of the replies that the Premier has been giving in relation to his change of mind after the State election on the sale of ETSA and Optima.

### STUNGUNS

**The Hon. T.G. ROBERTS:** I seek leave to give a brief explanation before asking the Attorney-General, representing the Minister for Police, Correctional Services and Emergency Services, although he may be able to answer it himself, a question about prison security and the use of stunguns.

Leave granted.

*The Hon. A.J. Redford interjecting:*

**The Hon. T.G. ROBERTS:** No, I will not ask a question about ETSA because I will not get an answer that is suitable to the requirements of my investigatory mind. It also appears that when Ministers are briefed they soon forget what they have been told. The *Advertiser* of Saturday 23 May contains an article about a stolen stungun as follows:

A 100 000 volt stungun was stolen from a Group 4 security officer's car yesterday. The car was parked in Wright Street, Adelaide, and the weapon was stolen between 8.20 a.m. and 12.10 p.m. Police have charged the owner, a 24 year old man, with carrying a dangerous article.

The article does not indicate whether the individual was a Group 4 security officer, but I would assume from the association that that is the case—although one cannot assume anything one reads nowadays. That is why I am asking the question. My questions are as follows:

1. Was the owner of the stungun an employee of Group 4?
2. Who are Group 4's prison managers in Mount Gambier?
3. Were they or the Government representatives of the prison aware that stunguns were on site?
4. What would the effect of a 100 000 volt stungun be on a human being?
5. Is the Government aware of the prisoner control policy of Group 4?
6. Does it include the use of stunguns?
7. Will the Government investigate this incident and make public its report?

**The Hon. K.T. GRIFFIN:** I may be able to bring back a reply in relation to some parts of the question; that part which relates to any charges is likely to be *sub judice* and I may not be able to bring back a reply in the short term. I will have the matter referred to the Minister for Police, Correctional Services and Emergency Services and endeavour to provide such information as it is proper to provide at this stage.

### MEMBER FOR ROSS SMITH

**The Hon. CAROLINE SCHAEFER:** I seek leave to make a brief explanation before asking the Attorney-General a question about the Director of Public Prosecutions.

Leave granted.

**The Hon. CAROLINE SCHAEFER:** On Tuesday 19 May the *Australian* published an article about Ralph Clarke. In it the shadow Attorney-General, Mr Michael Atkinson, is quoted in relation to the possible outcome of the matter as follows:

The matter would not go to court [because] no sane Director of Public Prosecutions would go ahead with such a case... simply because it is not in the interests of either Party [Mr Clarke or Ms Pringle] for the matter to be tried.

Mr Atkinson made these comments in the context of the Director of Public Prosecution's consideration of the matter. Can the Attorney explain to this Chamber the role of the Director of Public Prosecutions in matters such as this, and is the assertion of the shadow Attorney-General appropriate in any way?

**The Hon. K.T. GRIFFIN:** I want to make it clear from the outset that I am not commenting in any way on the case involving Mr Clarke: that is a matter which is *sub judice* and I do not think it is appropriate to canvass any position in relation to what will or will not happen or may or may not happen in respect of either the Director of Public Prosecution's decision or what, if it does go ahead, might happen in the legal environment.

The honourable member may not have seen the letter which I wrote to the *Australian*, which was published on Saturday and which does address some of the issues arising out of the statement that was reported in the *Australian* earlier in the week. I indicated that I was amazed that Mr Atkinson should give that gratuitous advice and that he gave it publicly.

*The Hon. Diana Laidlaw interjecting:*

**The Hon. K.T. GRIFFIN:** I believe it shows, at least to ordinary citizens who have no knowledge of practice and procedure, pressure on the DPP to make a particular decision. He has a difficult enough job to do as it is without having this additional pressure thrust upon him by the public comments of Mr Atkinson. Everybody knows that Mr Atkinson is shadow Attorney-General and aspires to be Attorney-General and, because of his role, even as shadow Attorney-General, it brings some special responsibilities in respect of the prosecution of criminal matters and in respect of the justice system.

The comment by Mr Atkinson also suggests that he is in possession of all of the facts. I doubt that he is—I certainly am not. The article, containing the words ascribed to him, states:

Mr Atkinson said the matter would not go to court.

That is a fairly unequivocal statement. He goes on to present the reason, namely:

Because, irrespective of who was involved, no sane DPP would go ahead with such a case simply because it is not in the interests of either party—Mr Clarke or Ms Pringle—for the matter to be tried.

I offer some advice to Mr Atkinson and that advice is: do not get involved in making public comment on cases you know nothing about. Everybody knows that, when an issue is raised in the press about sentencing in a particular case, I always approach it with a great deal of caution because I do not have all the facts on most occasions in relation to specific matters, and Mr Atkinson ought to exercise a similar degree of constraint when commenting on matters in the criminal justice system, particularly specific cases.

*Members interjecting:*

**The Hon. K.T. GRIFFIN:** There may be a few challenges from several of the younger lawyers in the Lower House to Mr Atkinson's position, but that is a matter for the Labor Party and I do not particularly care who is the shadow Attorney-General.

There is one other aspect of this matter that requires some comment. If the statement by Mr Atkinson is correct, he does not understand the changes in policing and prosecuting practice that have occurred over the past four or five years, whether in relation to domestic violence cases or other cases. He says:

It is not in the interests of either party for the matter to be tried. He ought to know that these days it is not a matter only for the complainant to determine whether or not a matter goes to court—whether it is the subject of prosecution. The police initially, and subsequently the DPP, will look at all the facts and at whether or not there is corroboration and, even if a complainant says, 'I do not want to proceed with this matter,' whilst the DPP or Police Prosecutor, as the case may be, will take that into consideration, it is not the be all and end all of the decision. The decision is taken objectively on the facts. I will not pursue that much further because I fear that I will get into some detail that might have an impact upon the Clarke case.

However, I reiterate that it is not a matter for a complainant solely to say, 'I do not want to proceed.' It is a matter ultimately, in this case where it is an indictable offence, for the DPP to look at all the evidence, determine whether or not there is corroboration, what the weight of the evidence may be and then to decide whether or not a prosecution should proceed.

I return to what I said earlier. The shadow Attorney-General ought to leave well alone, particularly so where a member of the Australian Labor Party or, for that matter, a member of the Liberal Party, is involved. This is one area that is particularly sensitive, where one has not only to do justice but also ensure that justice is seen to be done. I have no doubt that the Director of Public Prosecutions, who has never been given a direction by me or by my predecessor, the Hon. Mr Sumner, in relation to a particular matter, will act with propriety in accordance with the high standards required of him under the statute. He is independent of Government direction. He cannot be directed by the Attorney-General unless I, as the incumbent in that office, were to make it public for all the world to see. That is one of the good things about the system: that it is independent and there cannot be political interference in determining whether or not a prosecution will follow.

## FIREARMS

**The Hon. IAN GILFILLAN:** I seek leave to make a brief explanation before asking the Attorney-General as Minister for Justice a question relating to firearm legislation in South Australia.

Leave granted.

**The Hon. IAN GILFILLAN:** Many members would have been horrified by the article in the Saturday *Advertiser* describing three firearm events in America, including the horrific slaughter by Kip Kinkel. Coincidentally, there was another story of a student shooting himself in the head and of a teenage girl who was shot in another incident in a different location. This comes on not long after the anniversary of the Port Arthur massacre, so it is appropriate that it is in the minds of all Australians what risk the proliferation of firearms poses to ordinary citizens in this country.

With that in mind, it was with interest that we noticed in recent times the Police Minister and the Premier being on the record as supporting proposals to amend South Australia's gun control statutes. In a ministerial statement in another place on 24 March, the Premier said that Australia does not have uniform gun laws. He pointed to a couple of discrepancies: first, the 28 day cooling-off period between the purchase of one firearm and another, and so on, and, secondly, the widening access to semiautomatic firearms to allow members of field and game associations to have the same access as clay target shooters. I point out that clay target shooters are very much confined locality operators, whereas field and game associations, by their very name, roam a much wider area and should not be considered in the same category.

There was also publicity in the *Sunday Mail* of 15 March which outlined the push to grant junior firearms licences to children as young as 12 years. It is extremely pertinent to reflect that it is children with access to firearms that have caused these tragedies in the United States, and of course this is just one example of a continuing series.

The aim of the question to the Attorney is to illicit, if we can, the Government's position. Given that this issue will be discussed next month at a national conference of Police Ministers, what position will South Australia be taking at this meeting? Is it the South Australian Government's position that uniformity in gun laws is to be achieved at virtually any cost—in other words, a diluting or watering down to the lowest common denominator? That would mean that this Government would have to introduce and seek Parliament's support for the abolition of the 28 days, the lowering of special licences to age 12 years and to the relative proliferation of semiautomatic weapons. I therefore ask the Attorney:

1. What will be the Government's position as expressed at the Police Ministers' meeting?
2. Will he give this Council and the people of South Australia an assurance that the Government will not in any form promote or support any dilution of the current firearm control legislation?

**The Hon. K.T. GRIFFIN:** The Minister for Police, Correctional Services and Emergency Services is the Minister who will be attending the Australian Police Ministers' Council.

*The Hon. Ian Gilfillan interjecting:*

**The Hon. K.T. GRIFFIN:** Let me finish. He has the responsibility for the administration of the Firearms Act. I can say that the Government's position has already been put down quite clearly: that we are committed to strong firearms legislation and we would like to see a uniformity of approach, recognising that there is not uniformity. The Government is not intent on watering down gun control laws. In respect of the conference itself, I will obtain a response for the honourable member and bring back a reply.

**The Hon. IAN GILFILLAN:** I desire to ask a supplementary question. Can the Attorney indicate to the Council—

yes or no—whether the Government supports the removal of the 28-day cooling off period? Does the Government support the extension of the semi-automatic weapons to the Field and Game Association and the lowering to 12 years of the age for special juvenile licences?

**The Hon. K.T. GRIFFIN:** The honourable member wants a yes or no answer: it may be possible to give that to him when I bring back the reply.

### PARLIAMENT HOUSE, PAINTINGS

**The Hon. L.H. DAVIS:** I seek leave to make a brief explanation before directing my question to you, Mr President, on the subject of paintings in Parliament House.

Leave granted.

**The Hon. L.H. DAVIS:** I am sure that the milk curdled on a good number of Vitabrits around the State this morning when voters saw (page 3 of the *Advertiser*) a photo of a very grim looking Hon. Carolyn Pickles standing beside a painting. The story, by Phillip Coorey, stated that Labor Legislative Councillors and some Labor staffers, who courageously refused to be named, said that a painting by well-known Broken Hill artist Pro Hart had been removed from the Labor Party corridors, citing as one of the arguments Pro Hart's alleged links with Ms Pauline Hanson. Mr Paul Holloway, in one of his more profound statements, was quoted as saying:

All I know is they put it up, it caused a bit of interest and discussion, and then it was taken down again.

The Hon. Terry Cameron, who is unarguably the best dressed Labor member on the Legislative Council team in fact had the painting—

*Members interjecting:*

**The Hon. L.H. DAVIS:** It hurts sometimes to be told the truth, George, but I will do it. The Hon. Mr Cameron had the painting hanging outside his office.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. L.H. DAVIS:** I am sorry I have wounded so many members opposite.

**The PRESIDENT:** Order! Do not make it worse.

**The Hon. L.H. DAVIS:** That is my call. Anyway, the Hon. Terry Cameron, who actually had the painting hanging outside his own office—and I am sure Phillip Coorey quoted him very accurately—said, 'It was quite nice.' Presumably, that meant that he was more than happy with it. However, the Leader of the Labor Opposition in the Legislative Council (Hon. Carolyn Pickles) was quoted as saying:

People may call me a philistine but I think we have better Australian artists.

On the eve of a very important Budget session, this clearly was a huge and important story for the Labor Party. This was the most pressing story which the Hon. Carolyn Pickles, as Leader of the Opposition, could come up with. Mr President, I have noted that there are some new paintings hanging in the Legislative Council corridors, and I would ask you two questions:

1. Can you advise the Council of the process by which paintings are loaned to Parliament House by the Art Gallery of South Australia?

2. Do you, Sir, or anyone else make inquiries of the Art Gallery of South Australia about the political leanings of the artists whose paintings are on loan to Parliament House?

*Members interjecting:*

**The PRESIDENT:** Order! I am sorry that this issue has become public and that the honourable member has found it

necessary to ask this question. The answer to the second question is that certainly no-one asked the Art Gallery about the political leanings of the artists. I will try to run through a little of the process that we went through last week whereby this saga got its legs. It is difficult enough to obtain suitable paintings for the Parliament from the Art Gallery on a loan basis, let alone for the art to be judged on the basis of the politics or other leanings of the artist.

I may well have been responsible for starting this issue, because I did ask the Clerk whether we could find more paintings for Parliament House and, in particular, for the President's room because I thought one particular painting needed to be changed because of the nature of the room and the people who visited. Members will notice around the corridors some new paintings, although some are not very large. One is outside the lobby and we have managed to extract a number of others from the gallery on a loan basis, which I think leaves us right on the quota that is presently attached from the Art Gallery to the Parliament.

A number of paintings were brought down by the gallery and we tried them in various areas. The Clerk and I were not allowed to touch them: they were hung by Art Gallery staff and a number were available to go into other corridors. Some paintings were sent upstairs to the second floor. If any members have experience in looking at and hanging any sorts of art work, they will know that it does take time to get the right fit for the right painting. I would never expect it to be right the first time. What I am disappointed about is that it became a public issue, which I heard about only when the press rang me. As to this particular work of art—

*Members interjecting:*

**The PRESIDENT:** Order! The work of art that was mentioned in the media this morning was sent back to the gallery and replaced without my knowledge, but I do not expect to have been told about that. However, I am sorry that it has become a saga and I ask members to be more patient in future if we are able to get more works of art for the Parliament. I must say that I have had an unrelated request from the Hon. Sandra Kanck—

*The Hon. Diana Laidlaw interjecting:*

**The PRESIDENT:** Yes. She asked whether we could have paintings for the lower ground floor which, in my days, may have been in danger of being damaged by cricket and tennis balls and other things in the long hours of the sittings. Seeing that behaviour does not happen now, I hope that, in conjunction with the Minister for the Arts and the Art Gallery, we may be able to attract more relevant paintings by Australian artists to the Parliament for the public to see.

**The Hon. T. CROTHERS:** I viewed the Pro Hart, which I found quite good. My supplementary question is this: Mr President, in your peregrinations around the Pro Hart, could you find the Pro Hart ants and where they were located on that painting? I could not.

**The Hon. J.C. IRWIN:** In answer to the supplementary question, 'No, I couldn't.'

### INDUSTRY ASSISTANCE

**The Hon. T.G. CAMERON:** I seek leave to make a brief explanation before asking the Treasurer questions about the provision of industry assistance by the Olsen Government.

Leave granted.

**The Hon. T.G. CAMERON:** A recent Industry Commission report shows South Australia spends more per head to attract business than any other mainland State. The report,

'State, Territory and Local Government Assistance to Industry', shows that the South Australian Government spends about \$180 per taxpayer, or \$265 million each year, to lure firms or to retain existing ones, the largest *per capita* budget subsidy of any mainland State. This compares to \$149 per head in Western Australia; \$141 in Victoria; \$131 in New South Wales; \$105 in Queensland; and \$27 in the ACT. The report is critical of the assistance as it argues incentives offered to business to set up in a particular State rarely, if ever, benefit that State in the long run. Rivalry between States for development and jobs at best shuffles jobs between regions and at worst reduces overall activity.

The report argues that gains from providing selective assistance at the State level are largely an illusion. It finds firms operating in such an environment tend to become more footloose and vulnerable to relocation if the incentive package fails to incorporate strategies which tie down and embed new investors in the local economy. Bidding by means of incentives between the States jeopardises growth by giving large, multinational firms the leverage to bid up incentive packages and push down labour and environmental regulations on their operations. In effect, the States are forced into competing with each other in a Dutch auction. In times of high unemployment or apparent success by rival States, State Governments are under pressure to be seen to be acting, even if that action has a negative outcome in the long-term.

A recent example is the firm Australis, which was given \$28 million by way of incentive package by the State Government to come to South Australia and set up a call centre in February 1995. It was to have employed 750 people by 1998-99 but peaked at just over 320. We now find that a receiver has been appointed and the whole future of its Galaxy service is in doubt, with tens of millions of dollars having been lost on the deal by the Government, not to mention the pain from the potential job losses. The Industry Commission has now called for an end to State bidding wars aimed at luring investment and for the States to agree to end or limit selective industry assistance and to lift the secrecy surrounding it. My questions to the Treasurer are:

1. Does he agree with the findings of the Industry Commission's report on industry assistance? And I assume that the honourable member has read it.

2. In the interests of open and accountable Government, will this administration agree to work with the Federal and other State Governments to draw up national guidelines on this industry assistance?

3. In the further interests of open and accountable Government and to remove the veil of secrecy from some of these deals, will the Government release full details of all industry support provided to local, interstate and foreign-owned companies since it assumed office?

**The Hon. R.I. LUCAS:** I will have to take some advice from the current Minister on this matter. When that report was released, my recollection is that there was some questioning of the current appropriateness of the comparisons the Industry Commission report had highlighted. As I said, I would need to check my memory. One of the Government Ministers or spokespersons intimated that those quoted figures related to earlier years and certainly were not an accurate reflection of current Government spending.

*The Hon. T.G. Roberts interjecting:*

**The Hon. R.I. LUCAS:** You say 'worse', if you mean the Government is trying to encourage more businesses to provide more jobs for South Australians—

*Members interjecting:*

**The Hon. R.I. LUCAS:** As I said, the Hon. Terry Roberts would need to clarify what he means by 'worse'. If he is arguing that South Australia is higher per head and the other States lower than those comparisons, my advice is that that is not the case.

*An honourable member interjecting:*

**The Hon. R.I. LUCAS:** As I said, I am happy to take advice on that and come back in terms of the accuracy or otherwise of those claims, particularly as they relate to most recent years. It is fair to say that in the first couple of years of the Liberal Government, in 1994 and 1995 in particular, a number of significant incentive packages were put together by the Government in the interests of trying to kickstart the South Australian economy. The view was taken that there were a number of key niche markets the Government in South Australia needed to activate and activate quickly, and strategically the Government took the view of trying to encourage and attract a number of significant employers.

The Hon. Mr Cameron has referred to the problems of Australis or Galaxy. He would have to acknowledge, and would do so privately, that 1 500 people are working happily and successfully in the western suburbs at the Westpac Mortgage Processing Centre, doing all the mortgage processing of Westpac nationally. He would also have to acknowledge BT in the southern suburbs, where employment numbers are 200 to 250, and it has recently advised that that will increase to 500 next year. Those companies which were attracted to South Australia are providing hundreds of jobs—and in one case 1 500 jobs—for South Australians, with the accompanying flow-on benefits to those South Australian families.

The Premier has indicated publicly that the Government will continue with a prudent targeted investment attraction scheme. He has also indicated—and I can get the figures for the honourable member—that, contrary to the position portrayed by critics of the Government, including the Opposition, at least in the year that I remember the Hon. Mr Olsen was advertising something in the *Advertiser*, some 90 per cent of industry funds from this part of his department were directed to local or South Australian companies, and 10 per cent of the funding in the year to which the then Minister referred related to attraction of overseas or interstate companies. Clearly that is not the impression given by critics of the Government's program. The view is that all the money is being spent on companies interstate and overseas, and very little is being spent on local South Australian based companies. Again, I am happy to speak to the appropriate Minister and department, and endeavour to get further information to highlight the amount of money that is spent on local South Australian businesses as opposed to attracting interstate and overseas businesses.

Certainly, I am happy to take on notice the last part of the honourable member's question and have the more appropriate Minister or the Premier provide advice to the honourable member on that question. However, it would be my guess that the response would be along the lines that the Government would want to continue with a prudent and targeted investment attraction program in the interests of South Australian families. I am sure we would be interested in talking to other Governments to listen to any ideas that they might have, but not if it meant that we were unable to be active in terms of trying to attract significant employers to South Australia to hopefully provide significant numbers of jobs to South Australian families.

**GEPPS CROSS BOWLING CLUB**

In reply to **Hon. R.R. ROBERTS** (25 February).

**The Hon. R.I. LUCAS:** I provide the following responses to the questions put to the Attorney-General:

1. Following the sale of the SAMCOR abattoirs, Agpro Australia is now the owner of the land on which the Abattoirs Bowling Club is located.

The situation that gave rise to the sale is as follows. Under SAMCOR the abattoir operation was employing some 280 employees and in the latter stages making operating losses at the rate of approximately \$6 million per annum. I am advised the Government resolved to sell the abattoir as a going concern to preserve employment opportunities when a far more financially attractive option would have been to close the plant, retrench the staff at the award rates, rezone and sell the land for substantially more than that achieved by selling as an abattoirs.

During the sale process eventually the only potential purchaser in prospect, namely Agpro, insisted that the land on which the bowling club is situated be included in the sale mainly because the major services connections to the abattoirs are located in this area and are critical to the abattoir operation. Effectively Government had no option but to include the land in the sale to Agpro or it would have had to close the plant and retrench the employees.

2. Agpro ownership of the land is not the critical issue. What is important is the club's right of occupation and its terms. In this respect it is noted that the club already has a registered 20 year lease over the land in question at \$1 per year, which expires early next year, with a prospect of renewal for a further 5 years provided it adheres to the terms of the lease.

In response to discussions with the Club, the Government nevertheless negotiated a further extension of the lease on peppercorn terms with Agpro (for a total of 8 years beyond the current term) and commenced discussions with the Royal South Australian Bowling Association about the prospect of facilitating a transfer of the club to new premises in the longer term.

However, despite substantial progress on these matters, I am advised that these efforts were undermined by the club incurring the wrath of Agpro late last year by covering the fences of the bowling club premises with slogans and otherwise defacing the appearance of the property with banners and slogans. The premises are adjacent the main entrance to the abattoirs and Agpro has reported that its repeated requests that the premises not be used in this way were met with contempt and ignored. Agpro has subsequently indicated that because of this situation it is not prepared to go ahead with the negotiated peppercorn lease extension. The Government cannot reasonably now be expected to make good the damage the club has caused in its relations with Agpro. Indeed Government has no authority to require a landlord to accept a tenant who has no regard for the landlord's position or property. Accordingly the club must now mend its relationship with the landlord. The Government will nevertheless resume consideration of how a relocation of the club can be facilitated in due course and will continue to urge Agpro to accommodate the club in the interim on reasonable terms.

The Government is not paying any rent to Agpro in respect of the bowling club land and does not believe it would be appropriate to do so given the circumstances outlined above.

**GAMBLING**

In reply to **Hon. NICK XENOPHON** (25 March).

**The Hon. R.I. LUCAS:**

1. Comment on the Draft Regulatory Control Model for Interactive Home Gambling was invited from the community and industry in June 1997. Copies of the draft were circulated to 54 different bodies reflecting a cross section of the community and industry participants. A list of those recipients is attached.

2. I am advised that it is not possible at this stage to ban interactive gambling. Current technology is not sufficient to prevent Australian citizens from gambling with overseas providers. However, as I indicated in my reply on 25 March 1998, should the honourable member provide information on technology which will prevent Australian citizens from gambling on the internet I will review it and make it available to other gambling Ministers.

Mr Ian Horne  
General Manager  
Australian Hotels Association (SA Branch)  
60 Hindmarsh Square  
ADELAIDE 5000

Mr Graham Hallett  
State Manager  
Aristocrat Leisure Industries  
75 Henley Beach Road  
MILE END 5031

Mr Bill Davis  
Gaming Machines (SA) Pty Ltd  
7 Brandreth Street  
TUSMORE 5065

Mr Chris Redwood  
Managing Director  
Macmont (N.T.) Pty Ltd  
15 King William Street  
KENT TOWN 5067

Mr Peter Smith  
Director  
Multinational Entertainment Pty Ltd  
23 Gulfview Road  
CHRISTIES BEACH 5165

Mr Paul Anecchini  
Managing Director  
PA Amusement Machines  
8 Industrial Road  
OAK FLATS NSW 2529

Mr Frank Bannigan  
Managing Director  
Victorian Gaming Systems  
PO Box 10  
HUNTINGDALE VIC 3166

Mr Brian Kinnear  
Executive Director  
Licensed Clubs Association  
Level 2, 47 South Terrace  
ADELAIDE 5000

Mr Ted Culley  
Manager  
BGI Australia Pty Ltd  
PO Box 474  
EDGECLIFF NSW 2027

Mr Mark Keeley  
State Manager  
IGT (Australia)  
246 Richmond Road  
MARLESTON 5033

Mr David Bolton  
Director  
Maximum Gaming Pty Ltd  
146 Greenhill Road  
PARKSIDE 5063

Mr Mike Smith  
Managing Director  
Neo Interactive Systems  
47 Overseas Drive  
NOBLE PARK VIC 3174

Mr Bruce Walker  
Interstate Sales Manager  
Pacific Gaming  
23-27 Bourke Road  
ALEXANDRIA NSW 2015

Ms Cath Burns  
Agent for  
Video Lottery Consultants  
Unit 6, 585 Blackburn Road  
NOTTING HILL VIC 3168

Mr Lindsay Gilchrist  
State Manager  
Wang Australia Pty Ltd  
83 Greenhill Road  
WAYVILLE 5034

Ms Cath Burns  
National Manager (Australia & NZ)  
Datacraft  
Unit 6, 585 Blackburn Road  
NOTTING HILL VIC 3168

Mr Ron Worden  
State Manager  
L & L Australia (Email)  
5 Moss Road  
DRY CREEK 5094

Mr Garry McDougall  
Managing Director  
Milwell Pty Ltd  
48-56 Epsom Road  
ROSEBERY NSW 2018

Mr Michael Cheers  
State Manager  
Olympic Video Gaming Pty Ltd  
20 William Street  
MILE END SOUTH 5031

Mr Brian Frost  
Chief Executive Officer  
Precise Craft Pty Ltd (Video)  
13 Sheridan Close  
MILPERRA NSW 2214

Mr Geoffrey Pitt  
Chief Executive  
SA Totalizator Agency Board  
GPO Box 2345  
ADELAIDE 5001

Ms June Roache Chief Executive Officer Lotteries Commission of SA GPO Box 2277 ADELAIDE 5001	Mr Merv Hill General Manager South Australian Jockey Club Inc GPO Box 1695 ADELAIDE 5001	Mr Sam Leaker General Manager South Australian Harness Racing Authority GPO Box 2337 ADELAIDE 5001
Mr Jim McMurdo Manager Greyhound Racing Board (South Australia) PO Box 2352 REGENCY PARK 5942	Mr John Barrett Chief Executive Racing Industry Development Authority GPO Box 672 ADELAIDE 5001	Mr John McBain Executive Officer SA Bookmakers League Victoria Park Racecourse Fullarton Road ROSE PARK 5067
Mr John Frearson Executive Officer Adelaide Casino 2nd Floor, Adelaide Casino North Terrace ADELAIDE 5000	Dr Simon Stone State Manager (SA) Optus (Regional Office) PO Box 1205 MARLESTON 5033	Ms Rhonda Baker Manager, Corporate Affairs (SA) Telstra Locked Bag 42 ADELAIDE 5800
Mr Tom Mockridge Chief Executive Officer Foxtel GPO Box 99 SYDNEY NSW 2001	Mr Sean O'Halloran Chief Executive Officer Galaxy Media Pty Ltd Locked Bag 111 SALISBURY SOUTH 5106	Mr Simon Clayer SA AMIA Industry Development Officer C/o Ngapartji Cooperative Multimedia Centre PO Box 3208 Rundle Mall ADELAIDE 5000
Mr Richard Cousins Chairman Internet Industry Association PO Box 826 EPPING NSW 2121	Mr Mark Addis Chief Executive Australian Bankers Association Level 42, 55 Collins Street MELBOURNE VIC 3000	Mr Ron Hardaker Executive Director Australian Finance Conference GPO Box 1595 SYDNEY NSW 2001
Mr John Lamb Managing Director NWS Channel Nine Television Station PO Box 9 NORTH ADELAIDE 5006	Mr Rob Smithwick Managing Director Channel 7 PO Box 7 WALKERVILLE 5081	Mr John Hatcher General Manager Channel 10 PO Box 1010 NORTH ADELAIDE 5006
Mr Trevor Bignell Manager Adelaide Central Mission 10 Pitt Street ADELAIDE 5000	Dr Malcolm Battersby Manager Adelaide Specialist Counselling Service Flinders Medical Centre BEDFORD PARK 5042	Fr Neil Forgie Manager Anglican Community Services Old Rectory 9 Mary Street SALISBURY 5108
Fr Eugene Hurley Manager Centacare (Whyalla) PO Box 95 WHYALLA 5600	Ms Eve Barrett Manager Lifeline (Mt Gambier) PO Box 386 MOUNT GAMBIER 5290	Mr Bill Harris Manager Port Pirie Central Mission 30 Ellen Street PORT PIRIE 5540
Ms Helen Carrig Manager Relationships Australia 55 Hutt Street ADELAIDE 5000	Mrs Margaret Lehmann Regional Manager Relationships Australia PO Box 317 BERRI 5343	Captain Bert Hicks Salvation Army Support Services 473 Torrens Road WOODVILLE NORTH 5011
The Manager Wesley United Mission PO Box 426 HINDMARSH 5007	Mr Dale West Executive Director Centacare 33 Wakefield Street ADELAIDE 5000	Mr Peter Higgins Coordinator of Gambling Services Dept of Family & Community Services PO Box 39 Rundle Mall ADELAIDE 5000
Mr Joe Harris Secretary Gamblers Anonymous PO Box 220 FULLARTON 5603	Mr Nick Xenophon No Pokies Campaign c/o Xenophon & Co 653 Lower North East Road PARADISE 5075	Mr Peter Tippings Pokies Anonymous C/o Peter Tippings 20A First Street BROMPTON 5007

### IMMIGRATION

In reply to **Hon. CARMEL ZOLLO** (24 March).

**The Hon. R.I. LUCAS:** The Premier and Minister for Multicultural Affairs has provided the following information.

The program commenced in July 1997 and there is only limited statistical information available at present. Statistics available from the Commonwealth Department of Immigration and Multicultural Affairs do not give any indication of the source of attraction for new migrants to live in any particular state. There is also no requirement for new migrants who arrive in South Australia as a result of the *Immigration SA* program to contact the Office of Multicultural and International Affairs (OMIA) or to use the services available under *Immigration SA*.

For those who have accessed the *Immigration SA* program, figures show that 168 principal applicants representing 475 new arrivals to South Australia directly used the *Immigration SA* services between July 1, 1997 and March 31, 1998. *Immigration SA* client families are listed by country of origin below:

UK	78	Fiji	1
South Africa	25	Germany	1
India	14	Gibraltar	1
Ukraine	12	Greece	1
Former USSR	11	Macedonia	1
Romania	7	Malaysia	1
Ireland	5	Peoples Republic of China	1
Switzerland	2	Turkey	1



Poland	2	USA	1
Bulgaria	1	Yugoslavia	1
Equador	1		

Whilst OMIA does not have direct access to the skills category of these migrants, OMIA, through its *Arrival Survey Follow Up*, is aware of the wide range of skills these migrants have brought into South Australia, ranging from skilled blue collar trades such as toolmakers and mechanics, through to white collar professionals, such as computer programmers and accountants.

Furthermore, as a part of *Immigration SA*, OMIA is authorised by the Commonwealth Department of Immigration and Multicultural Affairs to certify nominations under the Regional Sponsored Migration Scheme (RSMS). Between August 28, 1997 and March 31, 1998, OMIA certified 91 nominations representing 258 people. The countries represented by these nominations are as follows:

South Africa	26	El Salvador	1
UK	24	France	1
Germany	6	Hong Kong	1
Canada	4	Hungary	1
Peoples Republic of China	4	Indonesia	1
Switzerland	3	Korea	1
India	2	Nepal	1
Iran	2	Norway	1
Japan	2	Russia	1
Malaysia	2	Turkey	1
Singapore	2	USA	1
Sri Lanka	2	Yugoslavia	1

The largest occupational groups of the RSMS migrants are computing professionals (10), electricians (5), refrigeration mechanics (5), fitters (4), motor mechanics (4) and toolmakers (4). To date, there have been nominations approved in respect to 54 different occupations.

2. Unable to determine for reasons stated in question 1. However a survey of clients who had directly contacted the Office of Multicultural and International Affairs shows that 72 per cent of respondents had obtained a job within approximately one month of arrival, of whom 84 per cent were working in the same area as their qualifications. All migrants who have arrived under the Regional Sponsored Migration Scheme are working in their field of expertise and commenced contracted employment immediately upon arrival in South Australia.

3. See (2) above.

4. The Savings and Loans Credit Union has advised that 13 applicants have accessed loan financing under the Migrant Settlement Loan Scheme (up until March 31, 1998).

5. OMIA has formed a strategic alliance with three selected personnel consultants to assist new migrants in finding employment in their field of expertise. OMIA also provides a range of information to assist new independent migrants in their efforts to find work, this includes information on internet sites, employment consultants and newspapers. In addition, under *Immigration SA*, the State Concession Card is made available to migrants experiencing financial hardship.

6. Yes.

7. The review is currently with the Chief Executive, Department of Premier and Cabinet.

**CONSULTANTS**

In reply to **Hon. M.J. ELLIOTT** (18 February).

**The Hon. R.I. LUCAS:** The following has been provided by the Minister for Information Services.

The following action has been taken to address the issues raised by the Auditor-General in his report A-3, page 91:

All agencies have now signed the Agency Service Level Agreements.

A project to review Agency specific Information Technology security standards in accordance with the Government's Information Technology security standards is in progress. The review will involve promulgation of requirements to Agencies for their implementation. As part of the review process, the issue of security standards in Agencies will be further addressed.

**PORTS CORPORATION**

In reply to **Hon. T.G. ROBERTS** (25 February) and answered by letter on 6 April.

**The Hon. DIANA LAIDLAW:** The Minister for Government Enterprises has provided the following information.

The Scoping Review was initiated by a recent decision in Cabinet prior to the call for advisers to assist the Government in its consideration of the ownership arrangements for the SATAB, Lotteries, and Ports Corporation in accordance with the advertisement in various local and national newspapers on Saturday 21 February. Consultation will occur with all interested parties and at the appropriate time.

No consultation took place with the Ports Corporation Board and the Ports Corporation senior management.

**ROAD SAFETY**

In reply to **Hon. T.G. ROBERTS** (26 March) and answered by letter on 22 April.

**The Hon. DIANA LAIDLAW:**

1. It should be noted that Portholerie Plains could not be located. However, after investigation Transport SA has advised that Pitlochry Outstation may be the location referred to.

In view of the above, the road at its narrowest point between the end of the Pitlochry Outstation and Millicent is 6.1 metres wide.

2. The combined width is 5 metres.

**VACCINATION**

In reply to **Hon. R.R. ROBERTS** (19 March) and answered by letter on 27 April.

**The Hon. DIANA LAIDLAW:** The Minister for Human Services has provided the following information.

The reported association between measles-mumps-rubella (MMR) vaccine and autism is based on an article by Wakefield *et al* in the *Lancet* of Saturday 28 February 1998 (Vol. 351, No 9103). The article states that, according to their parents, the onset of inflammatory bowel disease and brain disorders in 8 of 12 children referred to Wakefield's clinic occurred after immunisation with the MMR vaccine. Wakefield reported that nine children presented with autism, one with disintegrative psychosis and two with 'possible post-viral or vaccinal encephalitis'.

MMR contains live, attenuated viruses and Wakefield's group proposed that chronic infection with these viruses might have caused these diseases. However, as yet, Wakefield's group have presented no data that the eight children investigated have continued virus infection. Wakefield's group are the only scientists who have ever shown measles virus in people suffering inflammatory bowel disease. This work has never been confirmed by other groups using more sensitive and specific methods. Furthermore, to date, neither autism nor degenerative psychosis are reported complications following measles, mumps or rubella virus infection.

Millions of children immunised worldwide each year with MMR do not develop autism, disintegrative psychosis or bowel disease. Therefore, Wakefield's findings that MMR vaccination was the cause of these syndromes in eight children indicates an extremely rare, adverse event.

Serious permanent diseases, including brain damage, commonly follow naturally acquired infection from measles, mumps and rubella viruses. These can be prevented by immunisation with MMR. It should be noted there is no cause or connection between autism and MMR. There may be an association, but is not causal.

1. Each one of these vaccines has known complications and side effects which are much rarer than the disease side effects. MMR vaccine is currently used in South Australia for infant vaccination at 12 months and for the year 8 school children vaccination program. It would be both more painful and inconvenient to immunise children against these three diseases if the vaccines were to be given in separate doses. The reason MMR is administered as a combination vaccine is that this method is both less stressful for children, especially infants, and ensures that children are vaccinated against all three serious infectious diseases at the same time which facilitates uptake.

2. The South Australian Health Commission is not aware of any cases of regressive autism in South Australian children following vaccination with MMR. No specific research has been carried out in this State, due to the very small population which would statistically invalidate any findings, and no national study is planned at this time. However, a recently reported extensive review of autism studies in the UK has again concluded that there is no connection between autism and vaccination with MMR.

3. The separate administration of the three components of the MMR vaccine is not a feasible option in South Australia. At present, MMR vaccine is only available as a combined vaccine and each component is not marketed separately. Therefore, parents who wish

to have the three vaccines administered separately to their children will find this difficult to achieve and they should be advised to seek advice from their General Practitioner on this matter.

#### ENTERPRISE BARGAINING

In reply to **Hon. T.G. ROBERTS** (25 February) and answered by letter on 28 April.

**The Hon. DIANA LAIDLAW:** The Department for the Premier and Cabinet has advised that mutual respect between the parties is an integral component of enterprise bargaining. Enterprise bargaining negotiations at the Ports Corporation, which culminated in the certification of an Enterprise Agreement in the Australian Industrial Relations Commission on 16 February, 1998 were conducted during late 1997 and early 1998 in an environment of good faith and mutual respect between senior management and the relevant unions.

As you are aware, the Premier announced in Parliament on 17 February, 1998 that the Government is considering a number of asset sales, including the Ports Corporation and that scoping studies had begun to determine if a sale is the best option for the Government. Ports Corporation had no knowledge of, or in relation to, the announcement prior to 17 February, 1998. No decision has yet been made as to a sale and a consultant has been engaged to provide advice on the options available to Government in this matter. It is expected that this advice will be provided in May and consultation will occur with all interested parties, including the unions, at the appropriate time in respect of any proposals.

#### RAIL REFORM TRANSITION PROGRAM

In reply to **Hon. CAROLYN PICKLES** (24 February) and answered by letter on 9 April.

**The Hon. DIANA LAIDLAW:** The previous Commonwealth Minister for Transport and Regional Development, the Hon John Sharp MP, announced the sale of Australian National (AN) on 24 November 1996.

To assist local economies to adjust to the redundancies, the Commonwealth Government nationally allocated a total of \$20 million over 1996-97 and 1997-98.

This funding is intended to support project proposals which will advance the economic development of the areas most adversely affected by reductions in employment arising from reforms to AN.

South Australia has been allocated \$18 243 000 which is over 91 per cent of the \$20 million national program funds.

- Under a deed of grant South Australia received \$8 973 000 in May 1997.
- A further \$9 270 000 has been approved and will be received shortly.
- Interest of \$199 736 has also been accrued to date.
- Projects to the value of \$6 887 440 have been approved to date.
- Projects totalling \$1 712 000 have also been recommended for approval.
- \$10 203 296 remains to be allocated.
- Several projects are under consideration, awaiting supporting documents.

To date \$4 545 440 has been approved for projects in the Spencer Gulf Region, details of which are as follows:

Spencer Gulf Aquaculture Pty Ltd

Funding: \$600 000

Objective: establish tourism and hatchery facilities and undertake research.

Employment outcomes: 80 within 2 years.

Whyalla Boat Ramp

Funding: \$400 000

Objective: build a groyne and boat ramp to enable aquaculture sea cages to be launched.

Employment outcomes: see Spencer Gulf Aquaculture Project.

Pichi Richi Railway

Funding: \$1 350 000

Objective: Extend railway track to Stirling North, infrastructure and rolling stock renovations.

Employment outcomes: 35-40 within 2 years.

Lawrie Wallis Aerodrome

Funding: \$1 810 440

Objective: Upgrade the aerodrome.

Employment outcomes: 30 short term, 5 long term and 30 indirect.

Electronic Trading

Funding: \$375 000

Objective: Establish an electronic trading and training venue.

Employment outcomes: 15 direct long term, 20 indirect long term.

Several other projects in the Spencer Region have been supported by the State Advisory Committee and are presently being considered by the Commonwealth. In most cases further information is required to ensure that the proposals meet the program assessment criteria.

#### WASTE MANAGEMENT

In reply to **Hon. T.G. ROBERTS** (19 March) and answered by letter on 22 April.

**The Hon. DIANA LAIDLAW:** The Minister for Environment and Heritage has provided the following information.

No approach has been made by local government or industry in support of the establishment of a major landfill in the Tailem Bend or Karoonda area. A proposal by the then Waste Management Commission in the early 1990s to establish a secure waste repository in that area led to considerable public opposition.

The response by the community to this earlier proposal, the lack of an approach from local government or industry and the distance from the metropolitan area have meant that the region has not been regarded highly for waste management facilities.

#### AUSTRALIAN ARID LANDS BOTANIC GARDEN

In reply to **Hon. IAN GILFILLAN** (18 March) and answered by letter on 22 April.

**The Hon. DIANA LAIDLAW:** The Minister for Environment and Heritage has provided the following information.

In relation to the Liberal Government policy providing continuing support for the staged development of the Australian Arid Lands Botanic Garden at Port Augusta, the support takes the form of participation on the Arid Lands Botanic Garden Board by the Director of the Botanic Gardens of Adelaide, together with the provision of technical advice and support for the developing infrastructure. It is understood that Port Augusta Council continues to value this level of support.

This extensive support is in addition to significant funding of \$300 000 made in 1995 through the State Tourism Infrastructure Grants.

#### VICTORIA SQUARE

In reply to **Hon. T.G. ROBERTS** (24 March) and answered by letter on 28 April.

**The Hon. DIANA LAIDLAW:** The Minister for Aboriginal Affairs has provided the following information.

As I stated in my initial response, the honourable member appears to have been misled by an inaccurate newspaper article.

There is a danger that an excessive focus on problems allegedly caused by a few disadvantaged individuals in Victoria Square may distract us from addressing the needs of Aboriginal people in the central business district generally. The Department for Environment, Heritage and Aboriginal Affairs has been busy analysing the network of services for Aboriginal people in Adelaide. This Government currently funds a wide range of Aboriginal programs for primary health care, shelter for victims of domestic violence, hostels for those who have suffered through substance abuse, foster care, youth services, gamblers rehabilitation, disability support and aged care. Rather than using public money to duplicate services or refit buildings, we need first to see in what ways existing services can be enhanced or extended to fill such gaps as may exist.

To continue to pursue a strategy that deals with Victoria Square in isolation may lead to overlooking some needs, and to inefficient use of resources. In taking on this portfolio Minister Kotz has chosen to look at what is needed in the central business district as a whole: what is there, what can be done better, and Minister Kotz is pleased that the Lord Mayor, Dr Jane Lomax-Smith, has committed to work collaboratively to solve this problem.

Measures currently under discussion between the Lord Mayor and Minister Kotz include those proposed by the Aboriginal Sobriety Group, and will certainly take into account the call for access to culturally appropriate sobering up facilities. This will include appropriately accessing existing services and resources.

This Government is committed to provision of services which reflect real needs within the Aboriginal community. Increasingly, however, it is becoming evident that, with support, Aboriginal people are best placed to solve their own problems.

There is indeed a great deal of knowledge, wisdom and caring in Aboriginal culture generally. Minister Kotz is increasingly of the view that solving Aboriginal problems is as much about encouraging recognition of the pride of Aboriginal culture rather than patronisingly inflicting 'white mans' solutions on Aboriginal culture.

### SAND DREDGING

In reply to **Hon. M.J. ELLIOTT** (26 February) and answered by letter on 8 April.

**The Hon. DIANA LAIDLAW:** The Minister for Environment and Heritage has provided the following information.

1. The dredging work was subject to an Authorisation from the Environment Protection Authority that required an independently verified monitoring program. When the impact of dredging operation exceeded that which was expected, the Coastal Management Branch (CMB) were directed to undertake an ongoing Monitoring Program to assess the effects of their dredging.

Observations by the public of damage to the reef were followed up by interviews (including the observer quoted in 'Reefwatch'). This led to the Environment Protection Agency (EPA) employing Flinders University to check for damage to the Noarlunga Reef.

The initial survey by Flinders University found sediment on the reef. Further work has shown that the source may have been the dredged material, but the results are not conclusive. The report from Flinders University, which will include their assessment of damage to reef organisms, is expected later this month.

2. Ongoing work by the EPA will depend on the results of the preliminary work undertaken for them by Flinders University, and the results of the monitoring that the CMB were directed to undertake to assess the effects of their dredging.

The Coast Protection Board will also be commissioning a post-dredging benthic survey of the dredge site and adjacent seabed, and is continuing its monitoring of water turbidity and sediment fall-out.

The EPA funds Reefwatch, a monitoring program for South Australian coastal reefs that uses local divers. This monitoring has the potential to reveal any long term damage to the reef.

3. The EPA has received a Scoping Report from the CSIRO for undertaking an Adelaide Coastal Waters Study. This study will include impacts of sedimentation and a range of other water quality parameters on Metropolitan Coastal Waters, and provide a framework for the management of a range of activities, including dredging. The study will proceed as soon as funds are secured.

4. With regard to future dredging operations and sources of sand, following the Report of the Review of Management of Adelaide Metropolitan Beaches, the Coast Protection Board is investigating all options for suitable sand off-shore. Initial investigations will focus on the southern area but the practicality of using a known deposit north of Outer Harbour will also be reviewed. However, I can confirm that the dredge site off Port Stanvac will not be used again.

5. The recent large dredged replenishment project replaces three scheduled biennial programs and there is unlikely to be another dredged replenishment project for another six to ten years. Priorities for use of sand sources at that time will depend on the outcome of the forthcoming investigations on replenishment needs—for southern metro beaches as well as those north of Seacliff—and on the practicality and costs of using such sand deposits as may be found. Controls on future dredging operations will be determined after an assessment of the results of the current monitoring activities.

Prior to issuing any future Authorisation for dredging of this nature, the EPA is likely to require that the marine operations of a dredge be supervised by a Master Mariner with dredging experience.

Further action or advice depends upon the outcome of both the EPA work, and the report of the monitoring that is required of the CMB as part of conditions of authorisation.

### WASTE DISPOSAL

In reply to **Hon. T. CROTHERS** (17 March) and answered by letter on 22 April.

**The Hon. DIANA LAIDLAW:** The Minister for Environment and Heritage has provided the following information.

1. There is currently adequate landfill capacity in the southern metropolitan area to serve the region's needs for well in excess of ten years. The Government recently approved the development of a balefill disposal facility at Dublin which will provide long term capacity in the northern metropolitan area. Two other proposals, at Smithfield and Inkerman, are still to be assessed.

2. Waste paper is a commodity which is subject to world wide fluctuations in price. Difficulties have arisen due to a sharp decline in the export markets to Asia. The proposal by Visy to establish a waste paper processing plant in Adelaide could lead to a stabilisation of local markets for this material.

3. The German system of managing packaging waste has been examined and is not considered appropriate for introduction into South Australia.

The German System's aim has been to limit the environmental impacts of packaging. Through the law, it is the responsibility of the retailers and manufacturers as well as the manufacturers of packaging for the disposal of packaging.

As a result of the law, Germany became the largest exporter of waste materials in the world. Infrastructure in Germany was not developed to cope with the increase in the amount of material recovered. Markets were not available within the country. The price of recyclable materials fell as a result of oversupply and they were dumped on international markets. Problems also occurred with non-German suppliers trying to gain entry to the German system and it has been seen as a barrier to trade.

The system has resulted in less packaging in Germany and higher cost of packaging and consumer goods. Responsibility resides only with industry and is not shared with Government and consumers.

In South Australia, a shared approach combines container deposit legislation under the Environment Protection Act and kerbside collection of recyclables coordinated by Local Government. This State leads Australia with its recovery and recycling rates for beverage containers and are equal to the best rates in the world.

### JET SKIS

In reply to **Hon. T.G. CAMERON** (25 February) and answered by letter on 5 April.

**The Hon. DIANA LAIDLAW:** Late last year the Marine Safety Section of Transport SA established a consultative process to address issues associated with jet ski operations. Together with all relevant interested parties, including local Councils, Transport SA is endeavouring to reach a mutually acceptable system for the improved management of jet ski use.

As a result of a meeting held on 12 February 1998, the Metropolitan Seaside Councils' Committee accepted Marine Safety's invitation to be a part of this process. The Manager Marine Safety has also requested the Local Government Association to extend the consultation to include any other relevant council, including those on Kangaroo Island and the River Murray.

When this consultative process is completed, I will consider the honourable member's request for legislation covering this matter before next summer.

### ELECTRICITY, PRIVATISATION

**The Hon. M.J. ELLIOTT:** I seek leave to make a brief explanation before asking the Treasurer a question about ETSA.

Leave granted.

**The Hon. M.J. ELLIOTT:** During Question Time today, the Hon. Mr Holloway asked questions relating to the lease-back deal on ETSA infrastructure. The lease-back deal that ETSA signed, with what I understand is an American-based company, involved the Government's receiving \$75 million of the profits or the proceeds resulting from tax avoidance or tax minimisation. Clearly, that company would have made substantially more than that. The fact that that deal is less than a year into a 60-year lease would tend to suggest that all those moneys that were going to be profit would be lost. Presumably, that is why the Government has sought advice from Morgan and Stanley.

I note that on 17 February the Government first announced its intention to sell ETSA. It is now three months later. Can I take it from what the Treasurer said earlier in answer to a previous question that three months down the track the Government still has not received definitive advice as to whether or not there will be a negative impact in a financial

sense as a consequence of the lease-back deal of ETSA infrastructure?

**The Hon. R.I. LUCAS:** It would be a huge jump for the honourable member to make that assumption from what I said in my earlier response. The first thing to point out is that I think Morgan and Stanley have been working for the Government for only about four or five weeks.

*The Hon. M.J. Elliott interjecting:*

**The Hon. R.I. LUCAS:** No, we didn't.

**The Hon. M.J. Elliott:** You didn't ask anyone else?

**The Hon. R.I. LUCAS:** No. Morgan and Stanley are providing advice to us regarding the commercial valuation of the properties.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** Prior to the sale, the Government took advice on that issue as well as other issues, but post the sale the Government went through a process of appointment of a lead commercial adviser. Until it appointed a lead commercial adviser obviously it was not consulting with other commercial advisers. So, the Government took advice prior to the decision.

*The Hon. M.J. Elliott interjecting:*

**The Hon. R.I. LUCAS:** Well, I have indicated publicly that there was nothing so significant in the complications of this deal that would prevent the sale of ETSA and Optima.

**The Hon. M.J. Elliott:** Prevent. What about loss?

**The Hon. R.I. LUCAS:** Well, the Government, having looked at the advice it had received prior to the sale, indicated that it contained nothing that would prevent it from taking the decision to sell ETSA and Optima. The Government believes that even factoring in the complications, such as this particular lease and a variety of other legal claims which exist, and looking at what it could get for the sale of ETSA and Optima, there would still be a significant net benefit to the State in terms of both the recurrent budget and the reduction of State debt to justify going ahead with the sale. Regarding the advice that Morgan and Stanley have given us, as I have indicated, it is not sensible for the owner of an asset—

*The Hon. M.J. Elliott interjecting:*

**The Hon. R.I. LUCAS:** Why would you in the process of selling a multi-billion dollar set of assets stand up in the Council and tell all the potential bidders, the people who want to buy the assets, the advice you have received on the sale price? That is the logic of what the Hon. Mr Elliott—

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** Well, that is what the Hon. Mr Elliott—

**The Hon. M.J. Elliott:** Do you think they wouldn't work that out for themselves?

**The Hon. R.I. LUCAS:** Well, you would think—

*The Hon. M.J. Elliott interjecting:*

**The Hon. R.I. LUCAS:** No, they will not work it out.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** When the Government goes through the actual sale process, as part of the due diligence process the potential purchasers will have access to a degree of information which currently they do not have. If the Hon. Mr Elliott would like to know, the letter from Ernst & Young to which the Hon. Mr Holloway referred was based on advice made without having even seen the complicated leasing document. It was raised as a result of conversations held originally by the honourable member's Deputy Leader regarding the possible sale of ETSA and Optima.

So, it makes no sense, and I do not intend to stand in this Council and potentially reduce the sale proceeds for the taxpayers of South Australia by responding to a silly question from the Hon. Mr Elliott who, following a question by the Hon. Mr Holloway, seeks to have the Government place on the public record advice that it has received regarding the possible implications of this leasing arrangement on the sale value of part of the assets. The Government has received advice, but it is not appropriate or indeed sensible to share that advice in the public forum.

### ELECTRICITY CORPORATIONS (RESTRUCTURING AND DISPOSAL) BILL

**The Hon. R.I. LUCAS (Treasurer):** I seek leave to table a copy of a ministerial statement made today in another place by the Premier on the subject of the Electricity Corporations (Restructuring and Disposal) Bill.

Leave granted.

### ATTENTION DEFICIT HYPERACTIVITY DISORDER

In reply to **Hon. IAN GILFILLAN** (25 March).

**The Hon. K.T. GRIFFIN:** The Minister for Police, Correctional Services and Emergency Services has been advised by the Department for Correctional Services that the honourable member has raised a number of issues concerning the treatment of ADHD, many of which, as he rightly pointed out in his question, are of relevance to a range of human service delivery agencies, and importantly those agencies include education and health. The report to which he refers, produced by the National Health and Medical Research Council, indicates that, at present, the recognition and understanding of adult ADHD is rudimentary. Quite rightly, the focus of research concerning ADHD is in the area of childhood and adolescent intervention and treatment.

The body of knowledge pertaining to the treatment of ADHD is relatively new and evolving. This is particularly so in the area of adult ADHD and indeed, there is considerable debate as to the existence of this condition into adulthood. Notwithstanding the ongoing debate, there is little doubt that anti-social behaviour, substance abuse and other co-morbidities of ADHD frequently exist into adulthood for those who have been identified as experiencing the condition during childhood and adolescence. It is accepted, therefore, that there are a percentage of prisoners, and indeed offenders who are supervised by officers of the Department for Correctional Services in the community, whose offending behaviours may be a manifestation of inadequately treated or poorly managed childhood ADHD. To that end, and in answer to the honourable member's first question, it is accepted that ADHD, or more particularly its co-morbidities, represent a significant issue for the Department for Correctional Services.

The inter-agency working group referred to was convened in 1996 and its brief was to investigate methods of teaching and managing school students with poor attention, impassivity or hyperactive behaviour. The group consisted of school principals, other senior officers of the Department for Education and Children's Services (DECS), representatives of Child Adolescent and Medical Health Services, Child and Youth Health, Women and Children's Hospital, and representatives of the medical profession, including child Psychiatrists and Paediatricians. The working group sought feedback from University Departments of Psychology, individual Psychologists and parent groups.

The result of the extensive consultation process undertaken by the group was the production of a package of discussion papers for teachers and practitioners, and a brochure for parents. The topics in these publications incorporate information relating to the understanding of various terms used to describe the condition, such as hyperactivity and hyperkinesis, diagnosis of the condition, which is a matter for doctors and other medical experts in consultation with parents and teachers, the implications of an ADHD diagnosis for a student's school program, teaching and classroom management strategies, help for parents, and an outline of the range of community resources. These papers are subject to ongoing review and are widely available.

Implicit in these information publications is the need for a multi-modal approach for the treatment and management of ADHD. I am

advised that contemporary modes of treatment of ADHD are not restricted to pharmaceutical methods and that the range of intervention approaches informed by the developing body of knowledge are widely disseminated, encouraged and implemented in South Australia.

The preceding information is provided in order to highlight that the bulk, if not all, of the research which has been conducted into ADHD, both national and international, identifies the disorder as one which is, first and foremost, a childhood and adolescent manifestation. As the body of knowledge relating to ADHD develops, so too will the effectiveness of childhood and adolescent intervention.

I turn now to the role that the Department for Correctional Services plays and will continue to play in response to the manifestations of ADHD which present themselves in the adult correctional environment.

As you identify in your question, the co-morbidities which may develop with the disorder in childhood and adolescence, can lead to adult offending behaviour. These co-morbidities include substance abuse problems, marked cognitive deficits, limited literacy, numeracy and vocational skills and impulsivity and anger problems. The Department has implemented a range of core intervention programs for prisoners and offenders. These core programs include drug and alcohol intervention programs, including a therapeutic community at Cadell Training Centre. A number of correctional officers and community based staff members provide a cognitive skills training program to prisoners which addresses the range of cognitive deficits which extensive national and international research recognise as being common among long term offenders. Literacy and numeracy educational programs are available throughout the prison system as are anger management and victim awareness programs. Prison industries (PRIME) provide opportunities for prisoners to develop vocational skills.

Regarding the issue of research, there are a range of potential areas of criminological study which have been underfunded due to other economic imperatives. In order to address this largely neglected area, the Department has, in 1998, commenced the sponsorship of the Chair of Forensic Psychology at the University of South Australia. It is envisaged that the development of this position, and the School of Forensic Psychology, will provide the opportunities for Honours and Post Graduate students to conduct research into a range of criminogenic and offending behaviour areas, including ADHD, for which there has previously been limited resources.

In summary then, the issue of ADHD crosses the boundaries of a range of government agencies and community groups. The Department for Correctional Services provides a number of core programs designed to address offending behaviours which are exhibited by the prisoner and offender population, a percentage of whom may have experienced ADHD during their childhood and adolescence. The growing body of knowledge concerning ADHD should continue to inform models of best practice in intervention and treatment of this condition.

#### OFFENDERS AID AND REHABILITATION SERVICES

In reply to **Hon. T.G. ROBERTS** (25 March).

**The Hon. K.T. GRIFFIN:** The Minister for Police, Correctional Services and Emergency Services has been advised by the Department for Correctional Services that the State Government recognises the valuable work that Offender Aid and Rehabilitation Services (OARS) contributed to South Australia through the delivery of vocational training to offenders in the community.

The Department for Correctional Services has an annual funding agreement with OARS for \$331 300 in exchange for the delivery of a range of services for offenders and their families. In particular, these services target offenders who are not currently under the supervision of the Department. I am informed that the Chief Executive is satisfied with the services currently provided by OARS and is of the opinion that they complement the Department's business activities.

Whilst the Department recognises the importance of employment in reducing re-offending, it is not able to expand its funding grant to support the continuation of these services by OARS.

Therefore, whilst the State Government cannot directly increase its level of financial support to OARS, it is committed to providing any assistance it can to continue to work with OARS to lobby the Commonwealth Government to review its funding decision.

#### EMPLOYEE OMBUDSMAN

In reply to **Hon. R.R. ROBERTS** (25 February).

**The Hon. K.T. GRIFFIN:** I am advised that the question asked refers to matters previously dealt with by the former Industrial Relations Branch, which was recently transferred to the Department of the Premier and Cabinet. Accordingly, I provide the following response:

1. While the content and suggestions contained in the Employee Ombudsman's most recent Annual Report have been noted, the formation of a new committee to oversight public sector enterprise bargaining and industrial relations is not considered necessary.

The Government has already established a committee, the Industrial Claims Co-ordinating Committee (ICCC), which oversees enterprise bargaining in the public sector. The ICCC, whose membership includes senior executives from Treasury and Finance, Premier and Cabinet, the Commissioner for Public Employment and line agencies, has operated effectively over a number of years.

I would also point out that the Government's current enterprise bargaining policy provides for the representation of all employees at the agency level. The policy document states that employees may be represented by an agent of the employee's choice, an association of employees or the Employee Ombudsman.

It was also not considered necessary to establish a committee oversighting industrial relations in the public sector generally given the range of dispute resolution mechanisms currently available to employees.

In addition to the Grievance and Dispute Resolution processes contained in all public sector enterprise agreements there are formal grievance mechanisms contained in Public Sector Management Act as well as agency based mechanisms.

There are also other avenues of redress available to employees such as State and Federal industrial tribunals and the Equal Opportunity Commission should their grievances not be resolved at the agency level.

It should also be noted that Part 5 of The Industrial and Employee Relations Act provides for the establishment of the Industrial Relations Advisory Committee (IRAC). The functions of the IRAC, which covers both the public and private sectors, include advising the Minister on the formulation and implementation of policies affecting industrial relations and employment as well as advising the Minister on legislative proposals of industrial significance.

2. The recent changes in the public sector have been implemented with a view to maximising opportunities for better whole of government integration and more effective and unified service delivery. This Government, like governments everywhere is subject to constant demands for an increased range of services to be delivered at higher standards.

The changes have been made to respond to these demands in a positive way by optimising the use of resources where they are most needed.

Chief Executives have a statutory responsibility under the Public Sector Management Act to uphold specific personnel management standards. These standards include treating employees fairly and consistently, preventing discrimination and affording employees reasonable avenues of redress against improper or unreasonable administrative decisions.

The Public Sector Management Act also requires Chief Executives of administrative units to consult with employees and recognised organisations before taking action or making decision that may affect significant numbers of employees. Furthermore, Chief Executives are obliged under the Act to endeavour to resolve employee grievances through conciliation.

The changes to the public sector will not alter Chief Executives' responsibilities under the Act nor will they reduce employees access to grievance mechanisms.

A key initiative introduced as part of the changes is the Chief Executive's Council, which comprises the newly appointed Chief Executives. The Council will provide the new agencies with a collaborative way of working together with workplace relations and enterprise bargaining issues having a major focus.

#### INFORMATION TECHNOLOGY

In reply to **Hon. M.J. ELLIOTT** (9 December 1997).

**The Hon. K.T. GRIFFIN:** The Minister for Employment has provided the following information.

1. There is currently an acknowledged worldwide shortage of skilled, professional personnel in the information industries sector, however, estimates vary as to the number of people that will be required to meet the demand. South Australia has been the first State to attempt to quantify this demand.

The Information Technology Workforce Strategy Office (ITSWO) commissioned the South Australian Centre for Economic Studies to undertake a survey of the industry to provide baseline data in relation to the current state of the sector and to provide the information required to accurately predict future growth.

The results of the survey have provided an excellent picture of the industry and its projections for growth in both terms of workforce and revenue. They also provided a list of occupations expected to be in greatest demand by the year 2000, however, actual numbers in regard to shortfall are unknown.

2&3. From the information gained during the survey and discussions with industry and other Government agencies, ITSWO developed short, medium and long-term strategies to address the current and future workforce needs as follows:

#### Adelaide Advantage

A campaign was developed by ITSWO to attract skilled, qualified, experienced Information Technology and Telecommunications (IT&T) professionals from interstate and overseas to meet the needs of the industry in the short term. Called the Adelaide Advantage, the campaign was a joint promotion with several of the major companies located in South Australia and targeted certain skill sets. The campaign was launched in February 1997 with a presentation in Canberra that attracted over 100 IT&T professionals. In March, joint promotions with the launch of *Immigration SA* were undertaken in London.

In May, ITSWO joined the Premier's Business Investment Mission to Hong Kong and again targeted highly skilled, qualified and experienced IT&T professionals. In August, the Adelaide Advantage promotion was presented in Sydney and, at the request of the industry, targeted students and graduates as well as skilled and experienced people.

The Adelaide Advantage promotion also includes a web site which contains details of career opportunities, including information from companies who are seeking people and information on Adelaide's lifestyle, housing and education. In addition, the web site contains all summary information from the results of the demand analysis. The web site address is [www.adelaide-advantage.sa.gov.au](http://www.adelaide-advantage.sa.gov.au). Targeted Regional Sponsored Migration Scheme

At the request of the Office of Multicultural and International Affairs (OMIA), ITSWO joined the Immigration Promotion Taskforce. This Taskforce reported to Cabinet on ways to increase the number of migrants choosing to come to South Australia, as, in recent years, there had been a considerable downturn.

A particular target group was the younger, highly skilled independent migrants, with English language skills who could be nominated or 'sponsored' by an employer. As this was also the target group of many IT&T companies, ITSWO worked on the Taskforce to ensure that the proposals being put to Cabinet were consistent with the requirements of the IT&T industry.

The result of the Taskforce was *Immigration SA*, a strategy which offered a range of incentives for people to come to South Australia including settlement loans, on arrival accommodation and job matching. As mentioned previously, ITSWO joined the OMIA for the launch of *Immigration SA*, in London in March, taking the Adelaide Advantage promotion to job fairs and presentations.

Cabinet also agreed that three agencies would have the responsibility for giving State Government support for employer nominated migrants under the Regional Sponsored Migration Scheme (RSMS). These agencies were OMIA, ITSWO and the then Economic Development Authority. ITSWO would have responsibility for the IT&T sector only.

The RSMS is a Commonwealth Government sponsored scheme designed to promote economic development of regional Australia and other areas of low growth by encouraging skilled migrants to settle in those areas. South Australia is designated as a Regional area for the purposes of this scheme. ITSWO is working in conjunction with OMIA and the Department of Industry and Trade on promoting the use of the scheme by employers to encourage skilled, qualified and experienced IT&T professional to migrate to South Australia. University Chairs

The importance to the sector's growth and development of an active, high profile research and development facility operating across the information industries, cannot be over emphasised. In particular, experience elsewhere in the world demonstrates clearly the benefits of providing within the framework of this research activity opportunities for a close working relationship between key companies in the information industries and the universities.

The ITSWO has taken steps to introduce into South Australia a research and development Consortium to be operated jointly by the

State's three universities with input from an advisory council comprising representatives of leading IT&T companies.

Seed funding to cover the costs of 2.5 Full Time Equivalent Chairs for a period of three years will be provided through ITSWO to the universities which, in addition to their contribution, will bring to five the number of new Chairs in IT&T.

The objective of the funding from Government is to attract into our State leading academic researchers with world class reputations in niche areas of expertise. The professors would work closely with South Australian companies through the consortium. The consortium will raise significantly the profile of South Australia as a centre of research excellence in IT&T.

#### CD ROM

The ITSWO, in conjunction with Employment SA in the Department of Education, Training and Employment, commissioned the production of a CD ROM to promote the career opportunities available in the information industries sector to secondary school students.

This resource was distributed to all secondary schools in South Australia in the first weeks of Term 1, 1997. It is aimed at the students, parents and career counsellors. The information provided in the CD ROM is comprehensive and presented objectively. In essence, it allows the user to explore interactively the career options available in the information industries sector and to gather information concerning those careers from people who work with the technologies on a daily basis. Careers covered range from musicians and designers to surgeons, engineers and astronauts.

The CD ROM is supported by a dedicated web site, at [www.aitec.edu.au/itcareers](http://www.aitec.edu.au/itcareers). The web site provides the means for updating and adding to the information currently available in the most cost-effective manner. The web site will also be the means by which the IT Careers program will be continued and extended. The site is monitored and the statistics obtained through this process will be used to guide future development.

### STATE FLORA

In reply to **Hon. IAN GILFILLAN:** (26 February).

**The Hon. K.T. GRIFFIN:** The Minister for Primary Industries, Natural Resources and Regional Development has provided the following information:

1. The Government is reviewing the operation and options for the future of State Flora. This includes the need for the State to ensure a range of native plants is available for revegetation in SA.

2. It is the intention of the Government to have State Flora continue to produce a wide range of different species of native plants whilst no other nursery has a primary focus of producing a wide range to support revegetation in SA. State Flora generally charges higher rates per unit than most other nurseries and tends not to compete on price.

3. The Government, when considering this issue previously, allowed staff at Berri and Cavan to purchase the outlets and operate them as commercial businesses. The Government does not intend to cease trading but is undertaking a review of the operations of State Flora. We are aware of some criticism within the industry of the operations of State Flora. This criticism however appears to be limited and to date unfounded.

### WORKCOVER

In reply to **Hon. M.J. ELLIOTT** (26 March).

**The Hon. K.T. GRIFFIN:** The Minister for Government Enterprises has provided the following response:

1. The selection methodology was comprised of three stages:

First, bids were reviewed and, to the extent determined by the corporation, clarified to ensure that they contained all mandatory responses required by the invitation. If a bid did not contain all mandatory responses, then that bidder was excluded from later stages.

Second, bids were reviewed and, to the extent determined by the corporation, clarified to assess each bidder's understanding of the new Claims Management Agreement and the commercial and bidder information contained in the bid. If a bid did not show that the relevant bidder met the minimum requirements in respect of Claims Management Agreement understanding and commercial matters, that bid was excluded in the final evaluation stage.

Third, those bids and bidders which met the corporation's minimum requirements at stages 1 and 2 were evaluated in terms of value for money (ie, best performance for lowest cost). Value for money was described in the invitation to bid as being a combination

of, amongst other matters, anticipated aggregate remuneration to be paid and expected performance levels (including the value to the corporation of any value added functions).

2. Two panels participated in bid evaluation and appointment. The first panel, which carried out the evaluation process and made recommendations for agent selection, was comprised of five members of the WorkCover Corporation Senior Management (excluding the Chief Executive Officer) and was advised by an Independent Probity Auditor and a Legal Adviser.

The second panel, which considered the recommendations, interviewed recommended bidders and further examined price issues and appointed the agents under a formal delegation by the Board. The panel comprised the Chair of the Board, two board members appointed by the board, the Chief Executive Officer and a senior management representative. The panel was also advised by the Independent Probity Auditor and Legal Adviser.

3. As can be seen from the response to question 1, price was the final consideration in a three-stage process. By the time prices were negotiated, certain bidders had already been put to one side. Therefore, only some bidders were asked to review their prices.

The corporation reserved the right to negotiate any aspect of any bid with any bidder and to then re-evaluate the bids. The Corporation was not obliged to negotiate with any or all bidders.

4. The unsuccessful companies do not, in the administrative sense, have any recourse to the decision. The invitation to bid made it very clear that the Corporation's decision would be final. Naturally, all bidders have a right to attempt to seek relief in a Court and indeed, one is doing so now.

### LOTTERIES

In reply to **Hon. L.H. DAVIS** (25 March).

**The Hon. K.T. GRIFFIN:** The activities of the Australian Lottery Winners Service (ALWS) have been brought to the attention of the Office of Consumer and Business Affairs by the Fraud Task Force of the S.A. Police Force.

The Fraud Task Force received complaints from South Africa concerning the service. Money from the complainants was sent to an address in Canada and the firm apparently has a 'Customer Service Dept' at P.O. Box 86 Kent Town, Adelaide. The Police have spoken to the owner of the Post Office Box and they are not involved in the service. The letters are continuing to amass at the Box and are being forwarded to an address of which the Police do not yet have details.

A search of the Australian Securities Commission National Names index for company and business names by the Office of Consumer and Business Affairs (OCBA) reveal the name 'Australian Lottery Winners Service' is not registered as a company or a business name anywhere in Australia.

A check of the fax number on the correspondence received by the friend of the Hon. L.H. Davis by the OCBA revealed that the number is registered to a T E Morris & Associates Pty Ltd of 9 Ouyen Street, Bundall Queensland.

A telephone call by OCBA to the number of T E Morris & Associates Pty Ltd has revealed that the company is the 'customer service network' supplier for ALWS. It was explained to the OCBA caller that all inquiries concerning ALWS were handled by that number.

Further investigation revealed that ALWS operated on an international basis and it did not tout for business within Australia. OCBA was advised that the address shown on their advertising is the ALWS box in Germany and all mail from around the world is forwarded to that address and then sent on to Australia from there. OCBA was advised that it is apparently easier for the company to operate in this manner.

When questioned about the \$50 million lottery draw (which does not exist in Australia) OCBA was informed that the entries purchased covered draws over a five (5) week period of Australia's 6 from 45 lottery. The caller did not elaborate as to which lottery the tickets would be purchased in.

It was further pointed out to the service provider that nowhere on the material sent to prospective clients did it state that the \$50 million could be earned over a period of 5 weeks. The provider was then reluctant to discuss the idea that Australian lotteries when all combined may not add up to the \$50 million in that 5 week period. OCBA was then informed that the \$50 million referred to the total prize pool of the lottery and not just the first division prize.

The provider was advised that the material in the possession of OCBA was misleading and deceptive and may well contravene

South Australia's Fair Trading Act, 1987 which could result in the company incurring substantial fines if successfully prosecuted.

OCBA was then referred to Dr Peter Little, the lawyer for the customer service centre and further discussions occurred in relation to the material sent out by ALWS. He again advised that ALWS operated internationally and their material was not distributed within Australia. When advised that this did not appear to be the case he agreed to investigate the situation further. A copy of the material was sent to him and he agreed to contact OCBA during the week commencing 6/4/98 in relation to the matters raised by it.

Neither of the persons spoken to could or would elaborate on who ALWS actually were or who the company or persons behind the name were.

OCBA will continue its investigations into the ALWS and its misleading and deceptive advertising material.

### CORRECTIONAL SERVICES, STAFF

In reply to **Hon. T.G. ROBERTS** (18 March).

**The Hon. K.T. GRIFFIN:** The Minister for Police, Correctional Services and Emergency Services has provided me with the following response:

1. I do not consider it necessary to issue instructions on the issue of staffing. It is a matter for the Chief Executive, who is taking appropriate action, having regard to the particular circumstances at Yatala Labour Prison.

Whilst it has been acknowledged that there is currently a custodial officer vacancy rate of approximately 10 per cent, it is important to note that staffing establishment is calculated on maximum capacity. In recent months, a drop in prisoner numbers has occurred, with an average vacancy rate of 11.7 per cent over the previous three months.

Staffing shortages have been exacerbated by a high level of sick leave, with the sick leave rate per officer at Yatala Labour Prison, currently running at 8.75 officers absent on sick leave per day. This represents approximately 8.17 per cent of a 24 hour shift period.

The Department has implemented a recruitment program to alleviate the staffing shortages and it is expected that by July this year, new recruits will be appointed to Yatala Labour Prison to fill all vacancies.

2. On 1 December 1997, vacancies at Yatala Labour Prison stood at six (6). A recruitment program was implemented across all prisons in April 1997, with prison staffing vacancies addressed in order of priority. The number of vacancies at Yatala Labour Prison prior to January of this year were low, with a custodial officer vacancy rate of under 4 per cent. An increase in the vacancy rate occurred only recently and was as a result of a decision to declare some officers on worker's compensation as permanently unfit to return to work at Yatala Labour Prison.

3. The General Manager of Yatala Labour Prison is continuing to manage the prison within existing resources, having particular regard to providing a safe workplace. This does include authorising some overtime.

I am advised that no issues regarding unsafe work practices have been raised through the Yatala Labour Prison Occupational Health and Safety Committee during recent weeks. There has been a decrease in the number of assaults on prisoners and staff over the past two months, when compared with the annual average.

### COMMONWEALTH-STATE DISABILITY AGREEMENT

**The Hon. J.S.L. DAWKINS:** I seek leave to make a belief explanation before asking the Minister for Disability Services a question about the Commonwealth-State Disability Agreement.

Leave granted.

**The PRESIDENT:** I draw to the honourable member's attention to the fact that Question Time has only about a minute to go.

**The Hon. J.S.L. DAWKINS:** I understand that the original Commonwealth-State Disability Agreement was signed in 1991 for a five year period and expired last year. The original CSDA has continued on a month by month basis pending final agreement by the State on a proposed new agreement. Will the Minister advise the Council whether a

new CSDA agreement has been signed? If not, will he provide information about progress towards such an agreement?

**The Hon. R.D. LAWSON:** I am pleased to inform the Council that the Commonwealth-State Disability Agreement for the renewed term of five years has this day been signed. The new Commonwealth-State Disability Agreement will provide significant benefits to this State. We receive \$210 million or 12 per cent of the total Commonwealth outlays under the Commonwealth-State Disability Agreement, and that is significantly more than our 8 per cent of national population. In addition, we will receive some \$1.5 million in bilateral assistance for targeted programs for day activities which interface with employment services. I am delighted with this outcome, notwithstanding the claims of some in the sector that the Commonwealth should have made an additional funding commitment. When one compares the final offer of the Commonwealth with that which was originally made in April 1997, which was an effective 3 per cent reduction in Commonwealth commitment to disability services, the current outcome is satisfactory, especially when this State's comparative share of the Commonwealth funding is taken into account.

**The PRESIDENT:** I indicate to members that a number of proposals are before the Standing Orders Committee at the moment. Without going into the technical details, I indicate that one of those is a proposal to change the Standing Order in respect to when Question Time actually starts. In other words, the proposal for consideration is to start Question Time at the conclusion of Ministers' tabling their documents, ministerial statements and members giving notices of motion. The proposal to be considered is not to be so inflexible that Ministers' tabling cannot take place during Question Time. I remind members that Standing Orders cannot be changed until the Council itself has considered the proposal and made the change to the Standing Orders. However, if the Leaders agree and let me know about it, I see no reason why we cannot judge when those extended processes have taken place at roughly 2.25 to 2.30 p.m. and start Question Time then. I think that the advice from the Clerk would be that you would still formally have to extend Question Time by quarter of an hour at the appropriate time of 3.15 p.m.

#### STATUTES AMENDMENT (YOUNG OFFENDERS) BILL

Adjourned debate on second reading.  
(Continued from 25 March. Page 666.)

**The Hon. CAROLYN PICKLES (Leader of the Opposition):** The Opposition supports the second reading of this Bill. This legislation is a sensible move aimed at addressing the situation where youths aged 10 to 17 years are caught between the juvenile and adult justice systems. This is a good idea generally; however, this is a very important area of juvenile justice and I have some queries which require some clarification. First, as law makers we all have a responsibility to do whatever we can to ensure that young people remain as far as possible from the criminal justice system. In particular, adult prison must always be seen as the last resort when it comes to young offenders, as I think we are all aware of the fate of young people in the adult prison

system. I have circulated this Bill to a number of organisations and individuals and have also circulated it to the Youth Affairs Council, who have some concerns which I am sure can easily be clarified for me by the Attorney-General.

I refer to page 5 of the Bill, Division 1A—'Detention or imprisonment in a prison'. I believe clause 36A represents a change to the current Bill in that the new clause provides for an automatic transfer of a youth from an adult prison, whereas in the past the court had more of a say. Perhaps the Attorney would clarify that one point for me. With the proposed clause it seems that the court's discretionary powers have been replaced by an implied automatic transfer of the youth to the adult prison. Again, this requires clarification by the Attorney. Finally, the clause refers to the sentencing court directing otherwise. In what circumstances would the court direct otherwise?

Another issue raised with me by the Youth Affairs Council is clause 63A. Again, the concern is similar to placing young people in adult prisons only as a last resort. This clause provides that a youth who is remanded on the basis of an alleged offence will be transferred to the prison. Why is there double handling in this case, when we potentially have the youth being transferred to a training centre to a prison and, if no sentence is imposed, then the youth is transferred back to the training centre? Again, a point of clarification from the Attorney would be appreciated. Has the Attorney undertaken any consultation with the Youth Affairs Council or other similar organisations on these matters, and does the Minister for Youth and Employment have an opinion on the issues I have raised? Does the Attorney have any figures on how many young offenders have fallen through the cracks according to the existing legislation and, finally, does the proposed legislation have any ongoing cost implications?

It is clear that the Attorney's proposed legislation is tidier from an organisational point of view, but the Opposition does not wish to support legislation from an organisational tidiness point of view and we do not want to have any adverse effect on a notion of restorative justice. I would appreciate the Attorney following up these comments; perhaps he can take them up directly with the Youth Affairs Council. I support the second reading.

**The Hon. J.F. STEFANI** secured the adjournment of the debate.

#### SEA-CARRIAGE DOCUMENTS BILL

Adjourned debate on second reading.  
(Continued from 25 March. Page 668.)

**The Hon. CAROLYN PICKLES (Leader of the Opposition):** The Opposition supports the second reading of the Bill. I understand that it is based on an agreement between the Commonwealth, States and Territories to achieve uniform legislation dealing with bills of lading and other maritime transport documents. It seeks to modernise current bills of lading and takes into account changes in the shipping industry, as well as different legal, commercial and technological practices. The Attorney's second reading speech referred to inequitable and anomalous situations resulting from the current legal situation; perhaps he could elaborate on that and give one or two examples.

I have discussed the Bill with the Maritime Union of Australia and, during the rather busy time that it has had recently, it has advised me that it supports the legislation. I



note that the legislation brings South Australia into line with other major trading nations such as the United Kingdom, the USA and France, as well as a number of Australia's trading partners, including China, New Zealand and Indonesia. I am not sure whether the Attorney is aware of the cost implications of the proposed legislation, but, if he is, could he indicate that when he responds? I support the second reading.

**The Hon. J.F. STEFANI** secured the adjournment of the debate.

### LIQUOR LICENSING (LICENCE FEES) AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 25 March. Page 668.)

**The Hon. P. HOLLOWAY:** This Bill is the third in a series of Bills that have been introduced in the South Australian Parliament as a result of the High Court's decision in August last year which provided that the Federal Parliament had exclusive power to impose duties of customs and excise and to grant bounties on the production or export of goods. This decision forced the State and Commonwealth Governments to come to an agreement to allow the Commonwealth to use its taxation powers to collect the revenue previously raised by the States and Territories and to introduce windfall gains tax legislation to protect against claims for refunds. So far this Parliament has passed legislation in relation to tobacco and petrol excise, and this Bill completes the process.

In my previous two speeches on the Petroleum Products Regulation (Licence Fees and Subsidies) Amendment Bill and the Tobacco Products Regulation (Licence Fees) Amendment Bill I pointed out that I thought it was unfortunate that the State has lost such a valuable method of raising and adjusting fees from these sources as they were a very important part of State revenue, but I will not use this Bill to go over those arguments again.

Prior to the High Court's decision this State was already dependent on the Commonwealth for over 50 per cent of its revenue, and this decision means that South Australia is now dependent on the Commonwealth for over two-thirds of our revenue. Because the Commonwealth provides such a great amount of financial assistance to the States, the Commonwealth has been able to engage in policy making in areas over which it has no constitutional power. The invalidation of State business franchise fees has led to a further increase in the degree of vertical fiscal imbalance in Federal/State financial relations and, as I indicated earlier, I believe that that is one of the most profound and damaging developments in the Australian Federal system.

While I restate my concern about this level of imbalance I accept that the State really has no option but to support the Bill. The Bill deletes all references to liquor licensing fees contained in the Liquor Licensing Act as was required by the Commonwealth as a condition of its taking over these powers. Now that more information has become available from the 1998 Federal budget in relation to the reimbursement of liquor, tobacco and petrol franchise fees from the Commonwealth I wish to ask some questions about the reimbursement process.

In the 1998 Federal budget brought down just a week or so ago we finally had some information on the expected revenue that the Commonwealth would raise under the

tobacco, petroleum and alcohol franchise measures for 1997-87 and some estimates for the forthcoming 1998-99 financial year. The total revenue estimated for the 1997-98 financial year is \$422.2 million, and the expected revenue for 1998-99 is \$534.4 million for South Australia—an increase of some 26.6 per cent.

When we were debating the Tobacco Products Regulation (Licence Fees) Amendment Bill earlier this year I asked the Treasurer some questions about the expected impact of the High Court's decision on our revenue. The advice that he gave me on 24 March was that at budget time it was expected that in 1997-98 the three franchise fees would raise \$456.8 million, so we now see that there is a shortfall of some \$34 million. I would like the Attorney (through the Treasurer) to confirm whether these are the figures and perhaps give an explanation for that. At the time the Treasurer pointed out that there could be a \$50 million shortfall, which was, I think, due to the timing of the collections. Now that we have some figures from the Commonwealth, I would like those matters confirmed.

**The Hon. K.T. Griffin:** It wasn't related to the timing of an election.

**The Hon. P. HOLLOWAY:** It was the timing of the collections. I gather that what was collected prospectively by the States is now collected retrospectively by the Commonwealth. It would be helpful to the Parliament and the Council to know exactly what arrangements have finally been agreed upon with the Commonwealth for the reimbursement and whether we will in fact pick up this difference.

As I said earlier, there appears to be, after looking at these Commonwealth budget figures, a 26.6 per cent increase in the amount the State will receive in the forthcoming year as a consequence of these three taxes. Given that there might have been a shortfall of anything up to \$50 million because of delays in collections, and even allowing for that figure, it would still appear that there is to be a considerable jump in expected revenue for this year. I would appreciate it if the Attorney could provide some information in relation to that figure and say why it is expected to increase by such a significant amount.

Apart from that, I will conclude by saying that I believe it is a sad day in the development of Federal relations within this country that it is necessary for this State to formally give away its powers over liquor, petrol and tobacco franchise fees, as we are doing in this Bill. Sadly, we really have no alternative.

**The Hon. J.F. STEFANI** secured the adjournment of the debate.

### CRIMES AT SEA BILL

Adjourned debate on second reading.  
(Continued from 26 March. Page 684.)

**The Hon. CAROLYN PICKLES (Leader of the Opposition):** The Opposition supports the second reading. As the Attorney-General stated in his second reading explanation, the existing state of the law regarding the handling of crimes at sea is awkward and confusing. Clearly the proposal before us is beneficial not only because it paves the way for national consistency but also because it provides more legal certainty for those in a policing role. I commend the Government on agreeing to be part of this national move and encourage further uniformity, where appropriate.

I have a couple of queries regarding what stage the other States have reached in relation to such legislation. Have most States introduced the legislation and are all States agreeing to it? The people to whom I sent the Bill have all agreed to it. There has been extensive consultation with other States and at a national level. On a lighter note, it raised considerable interest in the Labor Party room. It was almost shades of Hercule Poirot in an Agatha Christie novel. We all wonder what kind of crimes happen at sea these days.

**The Hon. J.F. STEFANI** secured the adjournment of the debate.

#### **ADJOURNMENT**

At 3.47 p.m. the Council adjourned until Wednesday 27 May at 2.15 p.m.